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SALT LAKE CITY, UTAH



CHARTER

OF

GREAT SALT LAKE CITY

AND

ORDINANCES AND RESOLUTIONS

OF THE

CITY COUNCIL,

ALSO

ORGANIC ACT

OF THE

TERRITORY OF UTAH:

Printed by Order of the City Council.

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1859.

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MEMBERS OF THE CITY COUNCIL.

1859.

Mayor:

ABRAHAM O. SMOOT.

Aldermen:

1st Municipal Ward	-	ELIJAH F. SHEETS,
2d " "	-	SAML. W. RICHARDS,
3d " "	-	ALONZO H. RALEIGH,
4th " "	-	JETER CLINTON,
5th " "	-	NATHAN DAVIS.

Councilors:

HARRISON BURGESS,
 JAMES W. CUMMINGS,
 ROBERT T. BURTON,
 LEONARD W. HARDY,
 ISAAC GROO,
 WILLIAM C. STAINES,
 SAMUEL MALIN,
 THEODORE Mc.KEAN,
 ANDREW CUNNINGHAM.

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The Church of Jesus Christ of Latter-day Saints

1859

STANDING COMMITTEES OF THE CITY COUNCIL.

APPOINTED OCTOBER, 1859.

1. On **Municipal Laws**—Messrs. RALEIGH, RICHARDS and CUNNINGHAM.
2. On **Ways and Means**—Messrs. SHEETS, BURTON, HARDY and BURGESS.
3. On **Revision**—Messrs. CLINTON, RICHARDS, McKEAN and GROO.
4. On **Finance**—Messrs. RICHARDS, STAINES and HARDY.
5. On **Improvements** — Messrs. SHEETS, DAVIS, MALIN, STAINES and BURTON.
6. On **Claims**—Messrs. RALEIGH, GROO and McKEAN.
7. On **Unfinished Business**—Messrs. RALEIGH and BURGESS.
8. On **Elections**—Messrs. DAVIS, BURGESS and MALIN.
9. On **Police**—Messrs. CLINTON, CUMMINGS, HARDY and STAINES.
10. On **Public Works**—Messrs. CLINTON, CUNNINGHAM and MALIN.
11. On **Public Grounds**—Messrs. RICHARDS, GROO, HARDY and BURGESS
12. On **Licenses**—Messrs. CLINTON, CUNNINGHAM and BURTON.

OFFICERS OF GREAT SALT LAKE CITY.

Recorder	-	-	-	-	ROBERT CAMPBELL.
Treasurer	-	-	-	-	HYRUM B. CLAWSON.
Marshal	-	-	-	-	JESSE C. LITTLE.
Assessor and Collector	-				JETER CLINTON.
Auditor of Public Accounts	-				ROBERT CAMPBELL.
Captain of Police	-	-	-		JOHN SHARP.
Supervisor of Streets	-	-	-		ISAAC GROO.
Water Master	-	-	-		ISAAC GROO.
Surveyor	-	-	-	-	JESSE W. FOX.
City Sexton	-	-	-	-	JESSE C. LITTLE.
Sealer of Weights and Measures					NATHAN DAVIS.
Chief Engineer of Fire Department	-	-	-	-	JESSE C. LITTLE.
Inspector of Spirituous Liquors					ROBERT CAMPBELL.
Inspector of Provisions	-	-	-		LEONARD W. HARDY.
Quarantine Physician	-				WASHINGTON F. ANDERSON.

Fence Viewers.

1st Bishop's Ward	-	-	-	-	HUGH MOON.
2d "	-	-	-	-	ISAAC HILL.
3d "	-	-	-	-	JACOB WILER.
4th "	-	-	-	-	L. S. HEMINGWAY.
5th "	-	-	-	-	THOMAS WINTERS.
6th "	-	-	-	-	WM. HICKENLOOPER.
7th "	-	-	-	-	JOHN VANCE, Sen.
8th "	-	-	-	-	BURR FROST.
9th "	-	-	-	-	SETH TAFT.
10th "	-	-	-	-	THOMAS SPIERS.
11th "	-	-	-	-	JOHN COULAM.
12th "	-	-	-	-	ROBERT CAMPBELL.
13th "	-	-	-	-	MILLEN ATWOOD.
14th "	-	-	-	-	WILLIAM CARTER.
15th "	-	-	-	-	ANDREW CUNNINGHAM.
16th "	-	-	-	-	WILLIAM WALKER.
17th "	-	-	-	-	GEORGE B. WALLACE.
18th "	-	-	-	-	LORENZO D. YOUNG.
19th "	-	-	-	-	S. A. KNOWLTON.
20th "	-	-	-	-	SAMUEL B. NESLIN.
Sugar House Ward	-	-	-	-	DANL. M. BELL.

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AN ACT
TO ESTABLISH A
TERRITORIAL GOVERNMENT
FOR UTAH.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*—That all that part of the Territory of the United States included within the following limits, to wit: bounded on the west by the State of California, on the north by the Territory of Oregon, and on the east by the summit of the Rocky Mountains, and on the south by the thirty-seventh parallel of north latitude, be, and the same is hereby, created into a temporary government, by the name of the Territory of Utah; and when admitted as a State, the said Territory, or any portion of the same shall be, received into the Union, with, or without slavery, as their constitution may prescribe at the time of their admission: *Provided*, That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more territories, in such manner, and at such times, as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States.

Sec. 2. *And be it further enacted*, That the executive power and authority in and over said Territory of Utah shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified. unless sooner removed by

the President of the United States. The governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve all laws passed by the Legislative Assembly before they shall take effect; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

Sec. 3. *And be it further enacted*, That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor in his executive department; he shall transmit one copy of the laws, and one copy of the executive proceedings, on or before the first day of December in each year, to the President of the United States, and at the same time, two copies of the laws to the speaker of the House of Representatives, and the president of the Senate, for the use of Congress. And in case of the death, removal, resignation, or other necessary absence of the Governor from the Territory, the secretary shall have, and he is hereby authorized and required to execute and perform all the powers and duties of the Governor during such vacancy or necessary absence, or until another governor shall be duly appointed to fill such vacancy.

Sec. 4. *And be it further enacted*, That the legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly. The Legislative Assembly shall consist of a council and house of representatives. The council shall consist of thirteen members, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall consist of twenty six members, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. An

apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the council and house of representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district for which they may be elected respectively. Previous to the first election, the Governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken, and the first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and he shall, at the same time, declare the number of members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected having the highest number of votes in each of said council districts for members of the council, shall be declared by the Governor to be duly elected to the council; and the person or persons authorized to be elected having the highest number of votes for the house of representatives, equal to the number to which each county or district shall be entitled, shall be declared by the Governor to be duly elected members of the house of representatives: *Provided*, That in case of a tie between two or more persons voted for, the Governor shall order a new election to supply the vacancy made by such a tie. And the persons thus elected to the Legislative Assembly shall meet at such a place, and on such day, as the Governor shall appoint; but, thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: *Provided*, That no one session shall exceed the term of forty days.

Sec. 5. *And be it further enacted*, That every free white male inhabitant above the age of twenty one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to

any office within the said Territory; but the qualifications of voters and of holding office, at all subsequent elections, shall be such as shall be prescribed by the legislative assembly: *Provided*, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, including those recognized as citizens by the treaty with the republic of Mexico, concluded February second eighteen hundred and forty eight.

Sec. 6. *And be it further enacted*, That the legislative power of said Territory shall extend to all rightful subjects of legislation, consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws passed by the Legislative Assembly and Governor shall be submitted to the Congress of the United States, and if disapproved shall be null and of no effect.

Sec. 7. *And be it further enacted*, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory of Utah. The Governor shall nominate, and, by and with the advice and consent of the Legislative Council, appoint all officers not herein otherwise provided for; and in the first instance the Governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the Legislative Assembly, and shall lay off the necessary districts for members of the council and House of Representatives; and all other offices.

Sec. 8. *And be it further enacted*, That no member of the Legislative Assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the Legislative Assembly, or shall hold any office under the government of said Territory.

Sec. 9. *And be it further enacted*, That the judicial power of said Territory shall be vested in a supreme court, district court, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court, at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be as limited by law: *Provided*, That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts respectively shall possess chancery as well as common law jurisdiction. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decision of said supreme court, shall be allowed, and may be taken to the supreme court of the United States, in the same manner and under the same regulations as from the circuit court of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars, except only that, in all cases involving title to slaves, the said writs of error or appeals shall be allowed and decided by the said supreme court, without regard to the value of the matter, property, or title in controversy; and except, also, that a writ of error or appeal shall also be allowed to the supreme court of the United States, from the decisions of the said supreme court created by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof, upon any writ of ha-

beas corpus involving the question of personal freedom; and each of the said district courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the district of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeal, in all such cases, shall be made to the supreme court of said Territory, the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Oregon Territory now receive for similar services.

Sec. 10. *And be it further enacted*, That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the present Territory of Oregon. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from the said courts, when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulation and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the present Territory of Oregon; and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

Sec. 11. *And be it further enacted*, That the governor, secretary, chief justice and associate justices, attorney, and marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively, take an oath or affirmation, before the district judge, or some justice of the peace in the limits of said Territory, duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the supreme court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken, and such certificates shall be received and recorded by the said secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said Terri-

tory, before they act as such, shall take a like oath or affirmation, before the said Governor or secretary, or some judge or justice of the peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted, by the person taking the same, to the secretary, to be by him recorded as aforesaid; and afterwards, the like oath or affirmation shall be taken, certified and recorded, in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of fifteen hundred dollars as governor, and one thousand dollars as Superintendent of Indian Affairs. The chief justice and associate justices shall each receive an annual salary of eighteen hundred dollars. The secretary shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarter yearly, at the treasury of the United States. The members of the Legislative Assembly shall be entitled to receive three dollars each per day during their attendance at the sessions thereof, and three dollars each for twenty miles travel, in going to and from the said sessions, estimated according to the nearest usually traveled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the Governor to defray the contingent expenses of the Territory. There shall also be appropriated annually, a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the secretary of the treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses; and the secretary of the Territory shall annually account to the secretary of the treasury of the United States for the manner in which the aforesaid sum shall have been expended.

Sec. 12. *And be it further enacted*, That the Legislative Assembly of the Territory of Utah shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the Governor and Legislative Assembly shall proceed to locate and establish the seat of government for said Territory, at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said Governor and Legislative Assembly. And the sum of twenty thousand dollars, out of any money in the treasury not otherwise appropriated, is hereby appropriated and granted to said Territory of Utah to be applied by the Governor and Legislative Assembly to the erection of suitable public buildings at the seat of government.

Sec. 13. *And be it further enacted*, That a delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled

to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner, as the Governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly: Provided, That said delegate shall receive no higher sum for mileage than is allowed by law to the delegate from Oregon.

Sec. 14. *And be it further enacted*, That the sum of five thousand dollars be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, to be expended by and under the direction of the said Governor of the Territory of Utah, in the purchase of a library, to be kept at the seat of government for the use of the Governor, Legislative Assembly, judges of the supreme court, secretary, marshal, and attorney of said Territory, and such other persons, and under such regulations as shall be prescribed by law.

Sec. 15. *And be it further enacted*, That when the lands in the said Territory shall be surveyed under the direction of the Government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be erected out of the same.

Sec. 16. *And be it further enacted*, That temporarily, and until otherwise provided by law, the Governor of said Territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the Legislative Assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

Sec. 17. *And be it further enacted*, That the Constitution and laws of the United States are hereby extended over and declared to be in force in said Territory of Utah, so far as the same, or any provision thereof, may be applicable.

APPROVED September 9, 1850.

CHARTER

OF

GREAT SALT LAKE CITY.

An Ordinance to incorporate Great Salt Lake City.

Sec. 1. *Be it ordained by the General Assembly of the State of Deseret:* That all that district of country embraced in the following boundaries, to wit,—beginning at the south east corner of the Church Pasture, about half a mile north of the Hot Spring; thence west to the west bank of the Jordan river; thence south, up the west bank thereof, to a point in said bank, directly west from the south-west corner of the five acre lots, south of said city; thence east to the aforesaid south-west corner of said five acre lots, and along the south line thereof; thence east to the base of the mountains; thence directly north to a point directly east of the south-east corner of the Church Pasture; thence west to the place of beginning—including the present survey of said city—shall be known and designated as Great Salt Lake City; and the inhabitants thereof are hereby constituted a body corporate and politic, by the name aforesaid, and shall have perpetual succession, and may have and use a common seal, which they may change and alter at pleasure.

Sec. 2. The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued; to plead and be impleaded; defend and be defended in all courts of law and equity and in all actions whatsoever; to purchase, receive, and hold property, real and personal in said city; to purchase, receive, and hold real property beyond the city, for burying grounds, or other public purposes, for the use of the inhabitants of said city; to sell, lease, con-

vey, or dispose of property, real and personal, for the benefit of said city; to improve and protect such property, and to do all other things in relation thereto, as natural persons.

Sec. 3. There shall be a city council, to consist of a mayor, four aldermen, and nine councilors; who shall have the qualifications of electors of said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years, and until their successors shall be elected and qualified. The city council shall judge of the qualifications, elections, and returns of their own members, and a majority of them shall form a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members, under such penalties as may be prescribed by ordinance.

Sec. 4. The mayor, aldermen, and councilors, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation, that they will support the Constitution of the United States, and of this State; and that they will well and truly perform the duties of their offices, to the best of their skill and abilities.

Sec. 5. On the first Monday of April next, and every two years thereafter on said day, an election shall be held for the election of one mayor, four aldermen, and nine councilors; and at the first election under this ordinance, three judges shall be chosen, viva voce, by the electors present. The said judges shall choose two clerks, and the judges and clerks, before entering upon their duties, shall take and subscribe an oath or affirmation, such as is now required by law to be taken by judges and clerks of other elections; and at all subsequent elections, the necessary number of judges and clerks shall be appointed by the city council. At the first election so held, the polls shall be opened at nine o'clock a.m. and closed at six o'clock p.m. At the close of the polls, the votes shall be counted, and a statement thereof proclaimed at the front door of the house at which said election shall be held; and the clerks shall leave with each person elected, or at his usual place of residence, within five days after the election, a written notice of his election, and each person so notified, shall within ten days after the election, take the oath or affirmation herein before mentioned, a certificate of which oath shall be deposited with the recorder, whose appointment is hereinafter provided for, and be by him preserved. And all subsequent elections shall be held, conducted, and returns thereof made, as may be provided for by ordinance of the city council.

Sec. 6. All free white male inhabitants of the age of eighteen years who are entitled to vote for State officers, and who shall have been actual residents of said city, sixty days next preceding said election, shall be entitled to vote for city officers.

Sec. 7. The city council shall have authority to levy and collect

taxes for city purposes, upon all taxable property, real and personal, within the limits of the city, not exceeding one half per cent. per annum, upon the assessed value thereof; and may enforce the payment of the same in any manner to be provided by ordinance, not repugnant to the Constitution of the United States or of this State.

Sec. 8. The city council shall have power to appoint a recorder, treasurer, assessor and collector, marshal and supervisor of streets. They shall also have the power to appoint all such other officers, by ordinance, as may be necessary; define the duties of all city officers, and remove them from office at pleasure.

Sec. 9. The city council shall have power to require of all officers appointed in pursuance of this ordinance, bonds with penalty and security, for the faithful performance of their respective duties, such as may be deemed expedient; and also to require all officers appointed as aforesaid, to take an oath for the faithful performance of the duties of their respective offices.

Sec. 10. The city council shall have power and authority to make, ordain, establish, and execute all such ordinances, not repugnant to the Constitution of the United States, or of this State, as they may deem necessary for the peace, benefit, good order, regulation, convenience, and cleanliness of said city; for the protection of property therein, from destruction by fire or otherwise, and for the health and happiness thereof. They shall have power to fill all vacancies that may happen by death, resignation, or removal, in any of the offices herein made elective; to fix and establish all the fees of the officers of said corporation, not herein established; to impose such fines not exceeding one hundred dollars for each offence, as they may deem just; for refusing to accept of any office in or under the corporation, or for misconduct therein; to divide the city into wards, and specify the boundaries thereof, and create additional wards; to add to the number of aldermen and councilors, and apportion them among the several wards, as may be just, and most conducive to the interest of the city.

Sec. 11. To establish, support, and regulate common school; to borrow money on the credit of the city—provided that no sum or sums of money be borrowed on a greater interest than six per cent per annum,—nor shall the interest on the aggregate of all the sums borrowed and outstanding, ever exceed one half of the city revenue, arising from taxes assessed on real estate within this corporation.

Sec. 12. To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for that purpose, and enforce the same.

Sec. 13. To appropriate and provide for the payment of the expenses and debts of the city.

Sec. 14. To establish hospitals, and make regulations for the government of the same; to make regulations to secure the general health of the inhabitants; to declare what shall be nuisances, and to prevent and remove the same.

Sec. 15. To provide the city with water; to dig wells; lay pump logs and pipes, and erect pumps in the streets, for the extinguishment of fires, and convenience of the inhabitants.

Sec. 16. To open, alter, widen, extend, establish, grade, pave, or otherwise improve, and keep in repair, streets, aveuues, lanes, and alleys; and to establish, erect and keep in repair aqueducts and bridges.

Sec. 17. To provide for the lighting of the streets, and erecting lamp posts; to establish, support and regulate night watches; to erect market houses, establish markets and market places, and provide for the government and regulations thereof.

Sec. 18. To provide for erecting all needful buildings for the use of the city; and for enclosing, improving, and regulating all public grounds belonging to the city.

Sec. 19. To license, tax and regulate auctioneers, merchants, and retailers, groceries and taverns, and ordinaries; hawkers, peddlers, brokers, pawn-brokers; and money changers.

Sec. 20. To license, tax and regulate hacking, carriages, wagons, carts and drays; and fix the rates to be charged for the carriage of persons, and for wagonage, cartage and drayage of property; as also to license and regulate porters, and fix the rates of portorage.

Sec. 21. To license, tax, and regulate theatrical, and other exhibitions, shows and amusements.

Sec. 22. To tax, restrain, prohibit, and suppress tippling houses, dram shops, gaming houses, bawdy, and other disorderly houses.

Sec. 23. To provide for the prevention and extinguishment of fires; to regulate the fixing of chimneys, and the flues thereof, and stove pipes, and to organize and establish fire companies.

Sec. 24. To regulate the storage of gunpowder, tar, pitch, rosin, and other combustibile materials.

Sec. 25. To regulate and order parapet walls, and other partition fences.

Sec. 26. To establish standard weights and measures, and regulate the weights and measures to be used in the city, in all other cases not provided for by law.

Sec. 27. To provide for the inspection and measuring of lumber, and other building materials; and for the measurement of all kinds of mechanical work.

Sec. 28. To provide for the inspection and weighing of hay,

lime, and stone coal; and measuring of charcoal, firewood, and other fuel, to be sold or used within the city.

Sec. 29. To provide for and regulate the inspection of tobacco, and of beef, pork, flour, meal; also beer, and whiskey, brandy, and all other spirituous or fermented liquors.

Sec. 30. To regulate the weight, quality, and price of bread, sold and used in the city.

Sec. 31. To provide for taking the enumeration of the inhabitants of the city.

Sec. 32. To fix the compensation of all city officers; and regulate the fees of jurors, witnesses, and others, for services rendered, under this, or any city ordinance.

Sec. 33. The city council shall have exclusive power within the city, by ordinance, to license, regulate, suppress, or restrain billiard tables, and from to twenty pin alleys; and every other description of gaming or gambling.

Sec. 34. The city council shall have exclusive power within the city, by ordinance, to license, regulate, the keeping of ferries, and toll bridges; to regulate the police of the city; to impose fines, forfeitures, and penalties, for the breach of any ordinance; and provide for the recovery of such fines and forfeitures; and the enforcement of such penalties, and to pass such ordinances as may be necessary and proper for carrying into effect and execution, the powers specified in this ordinance, provided such ordinances are not repugnant to the Constitution of the United States or of this State.

Sec. 35. All ordinances passed by the city council, shall, within one month after they shall have been passed, be published in some newspaper, printed in said city, or certified copies thereof, be posted up in three of the most public places in the city.

Sec. 36. All ordinances of the city may be proven by the seal of the corporation; and when printed or published in book or pamphlet form, purporting to be printed or published by the authority of the corporation; the same shall be received in evidence in all courts, or places, without further proof.

Sec. 37. The mayor and aldermen shall be conservators of the peace within the limits of the city; and shall have all the powers of justices of the peace therein, both in civil and criminal cases, arising under the laws of the State. They shall, as justices of the peace, within the limits of said city, perform the same duties, be governed by the same laws, give the same bonds and securities, as other justices of the peace, and be commissioned as justices of the peace, in and for said city by the governor.

Sec. 38. The mayor and aldermen shall have exclusive jurisdiction in all cases, arising under the ordinances of the corporation, and

shall issue such process as may be necessary to carry said ordinances into execution and effect. Appeals may be had from any decision or judgment of said mayor or aldermen, arising under the ordinances of said city, to the municipal court, under such regulations as may be presented by ordinance; which court shall be composed of the mayor, as chief justice, and the aldermen as associate justices; and from the final judgment of the municipal court to the probate court of Great Salt Lake county, in the same manner as appeals are taken from justices of the peace; provided the parties litigant shall have a right to a trial by a jury of twelve men, in all cases before the municipal court. The municipal court shall have power to grant writs of habeas corpus, and try the same, in all cases arising under the ordinances of the city council.

Sec. 39. The municipal court may sit on the first Monday of every month, and the city council at such times and places as may be prescribed by city ordinance; special meetings of which may at any time be called by the mayor or any two aldermen.

Sec. 40. All process issued by the mayor, aldermen, or municipal court, shall be directed to the marshal; and in the execution thereof he shall be governed by the same laws as are or may be prescribed for the direction and compensation of constables in similar cases. The marshal shall also perform such other duties as may be required of him under the ordinances of said city, and shall be the principal ministerial officer.

Sec. 41. It shall be the duty of the recorder to make and keep accurate records of all ordinances made by the city council, and of all their proceedings in their corporate capacity; which record shall at all times be open to the inspection of the electors of said city, and shall perform all other duties, as may be required of him by the ordinances of the city council, and shall serve as clerk of the municipal court.

Sec. 42. When it shall be necessary to take private property for opening, widening, or altering any public street, lane, avenue, or alley, the corporation shall make a just compensation therefor to the person whose property is so taken; and if the amount of such compensation cannot be agreed upon, the mayor shall cause the same to be ascertained by a jury of six disinterested men, who shall be inhabitants of the city.

Sec. 43. All jurors empanelled to enquire into the amount of benefits or damages, that shall happen to the owners of property so proposed to be taken, shall first be sworn to that effect, and shall return to the mayor their inquest in writing, signed by each juror.

Sec. 44. In case the mayor shall, at any time, be guilty of a palpable omission of duty, or shall wilfully and corruptly be guilty

of oppression, mal-conduct, or partiality, in the discharge of the duties of his office, he shall be liable to indictment in the probate court of Great Salt Lake county; and on conviction, he shall be liable to fine and imprisonment; and the court shall have power on the recommend of the jury, to add to the judgment of the court, that he be removed from office.

Sec. 45. The city council shall have power to provide for the punishment of offenders and vagrants, by imprisonment in the county or city jail, or by compelling them to labor upon the streets, or other public works, until the same shall be fully paid; in all cases where such offenders or vagrants shall fail or refuse to pay the fines and forfeitures which may be recovered against them.

Sec. 46. The inhabitants of Great Salt Lake City shall, from and after the next ensuing two years, from the first Monday of April next, be exempt from working on any road or roads, beyond the limits of said city. But all taxes devoted to road purposes, shall, from and after said term of two years, be collected and expended by, and under the direction of the supervisors of streets, within the limit of said city.

Sec. 47. The mayor, aldermen, and councilors of said city shall, in the first instance, be appointed by the Governor and Legislature of said State of Deseret; and shall hold their office until superseded by the first election.

Sec. 48. This ordinance is hereby declared to be a public ordinance, and shall be in force from and after its passage.

APPROVED Jan. 19th, 1851.

An Act in relation to the Assessment, Collection and Expenditure of a Tax for Road and other purposes within Incorporated Cities.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That all incorporated cities which have organized, and are acting under their respective charters, are hereby authorized annually to assess, collect and expend the necessary tax for roads, streets, schools and other public purposes, and regulate and control the same within said city incorporations.

Sec. 2. The inhabitants of said incorporated cities shall be exempt from all other assessments for road and school purposes, except on such property as they may possess outside of city boundaries.

Sec. 3. The city council of the several incorporated cities, respectively, are hereby authorized to regulate and control the live trees and shrubbery, and the water courses and water privileges

in their corporations, and so far as may be necessary, the water courses leading thereto in the immediate vicinity thereof.

Sec. 4. Nothing herein shall be so construed as to effect or infringe upon any tax assessed, or authorized by any enactment of the Governor and Legislative Assembly.

Sec. 5. All laws, and parts of laws, not consistent with this act are hereby repealed.

APPROVED June 4, 1853.

ORDINANCES

OF

GREAT SALT LAKE CITY.

An Ordinance regulating Elections.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that the election for members of the city council shall be held on the first Monday in April next and every two years thereafter for one mayor, five aldermen and nine councilors, which number may be increased at the pleasure of said council.

Sec. 2. No person shall be elected or appointed to any city office unless he shall have been a constant resident of said city during at least one year next preceding such election or appointment; neither shall any person be eligible to vote at any election unless he is a free white male citizen of the United States, over twenty one years of age and has been a constant resident in said city during the six months next preceding said election.

Sec. 3. No officer or soldier of the United States army, or other persons subject to their military authority, is eligible to hold any office or vote at any election in this city unless his home and place of residence was therein at the time of engaging in such service.

Sec. 4. The city recorder shall cause a notice of the time and place, and number, and kind of officers to be elected, to be posted up in three public places within the city, at least five days previous to the time of holding said election.

Sec. 5. The city council shall appoint three judges, a majority of whom shall constitute a quorum, and two clerks of election, who shall, before entering upon their duties, take an oath for the faithful performance thereof; said council shall also furnish the necessary stationery and ballot box, and the voting shall be by ballot.

Sec. 6. The place of holding the election shall be determined by the city council, and the polls shall be open to receive votes at the hour of six o'clock in the morning and continue open until six o'clock in the evening. Each elector shall provide himself with a ballot con-

taining the names of the persons he wishes elected and the office he would have them fill. When such ballot is presented, one of the judges shall number and deposit it in the ballot box, and the clerks shall then write the name of the elector, and opposite it the number of his vote.

Sec. 7. When the time for holding the election shall have expired, the judges shall seal up the ballot box containing the votes and the list of the names of the electors, and transmit the same without delay to the city recorder, who shall, on receiving the returns of the election; immediately proceed in the presence of the mayor or any alderman of the city to unseal the ballot box, and count and compare the votes with the list of names, and make a brief abstract of the offices and names voted for, and the number of votes each person received, a copy of which abstract he shall post up in his office and in the City Hall.

Sec. 8. Any person designing to contest said election shall make his intentions known by setting forth in a plain, clear and definite manner the grounds of his complaint, in writing, to the city recorder, within eight days after the abstract shall have been posted up, and the votes and list shall be preserved until the contest is ended. On expiration of the time, and no such notice being given, the city recorder shall destroy the votes and list. In case of a tie of votes for two or more persons for the same office, the city council shall determine which shall take his seat.

Sec. 9. The city recorder is hereby required to leave with each person elected, or at his usual place of residence within five days after his election, a written notice thereof, and each person so notified shall, before entering upon the duties of his office, take and subscribe an oath or affirmation that he will support the Constitution of the United States, the laws of this Territory, and the ordinances of this city, and that he will well and truly perform the duties thereof to the best of his skill and ability.

Sec. 10. The mayor and aldermen, before entering upon the duties of their respective offices, shall give bonds with approved securities each in the penal sum of ten thousand dollars to the people of Great Salt Lake City, conditioned for the faithful performance thereof, which shall be approved by the recorder and filed in his office.

Sec. 11. All ordinances heretofore passed relating to elections are hereby repealed.

PASSED March 25, 1859.

An Ordinance creating certain Offices therein mentioned.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake*

City, that there shall be and hereby is created the following named offices, which shall be filled by said council, to wit:—Auditor of public accounts, assessor and collector, supervisor of streets, fence viewer, captain of police, water master, city sexton, surveyor, inspector of wood and lumber, sealer of weights and measures, and inspector of spirituous and malt liquors, the duties of which shall be as defined by ordinance.

PASSED Jan. 30, 1851.

An Ordinance relating to the Tenure of Certain Officers.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that all officers appointed by the city council shall hold their term of office during the pleasure of said council, unless otherwise provided for by ordinance.

PASSED Jan. 25, 1859.

An Ordinance dividing the City into Wards.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that the city be, and the same hereby is divided into four municipal wards, as follows, to wit:—All that district of country within the city limits, being south of Third South street, known as Emigration street, and east of East Temple street, shall constitute the first ward; all west of East Temple street, and south of South Temple street, the second ward; all north of South Temple street, and west of East Temple street, the third ward; and all east of East Temple street, and north of Third South street, the fourth ward of said city.

PASSED Jan. 30, 1851.

An Ordinance relating to Wards and the Aldermen thereof.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that all that portion of the first municipal ward lying south of Ninth South street, be, and the same hereby is created the fifth municipal ward.

Sec. 2. That one alderman shall be elected to each municipal ward of said city, who shall be resident of the ward for which he is elected;

PASSED Nov. 26, 1858.

An Ordinance declaring the Time when Ordinances and Resolutions shall be in force.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all ordinances and resolutions, passed by said council, shall be in force from and after their publication, unless otherwise provided for.

Sec. 2. This ordinance to be in force from and after its publication.

PASSED Dec. 10, 1858.

An Ordinance regulating the Meetings of the City Council.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that said council shall hold their regular sessions at the City Hall on the first and third Friday of every month.

PASSED Nov. 24, 1854.

An Ordinance relating to City Officers.

PART 1.—RECORDER.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that the recorder shall be appointed by the city council, and be *ex officio* clerk of the municipal court. He shall, before entering upon the duties of his office, take an oath of office and give bonds with approved security, to the people of Great Salt Lake City, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties thereof, which said bonds shall be filed with and approved by the mayor of said city.

Sec. 2. It shall be the duty of the recorder to keep the records, papers, and seal of said city, and record, in order of date, all ordinances and resolutions passed by the city council, in a book to be kept for that purpose; and, in a separate book, keep a record of the proceedings of said council, which records shall at all times be open to the electors of said city.

Sec. 3. The recorder, as clerk of the municipal court, shall keep the books, records, papers and proceedings; attend all sessions of said court, and keep a true and faithful record in a book to be kept for that purpose, entering distinctly each step in the progress of their proceedings. He shall pay over all money or other property, coming into his hands by virtue of his office, to the treasurer or

such other person to whom it may be due; further,—he shall have power to take acknowledgments, administer oaths, receive and approve bonds, and he shall deliver to his successor in office all property, books, records and proceedings both of the city council and the municipal court.

PART 2.—TREASURER.

Sec. 1. The treasurer shall be appointed, qualified and give bonds in the same manner as for recorder, provided that the bonds shall be in the penal sum of ten thousand dollars, which bonds shall be approved by and filed with said recorder.

Sec. 2. The treasurer shall receive all moneys or other property not otherwise provided for belonging to the city, that may be raised by taxation or otherwise, and shall keep, in suitable books, an account of his receipts and disbursements, to whom made and on what account, which said books shall be the property of the city.

Sec. 3. He shall pay all moneys, that may come into his hands by virtue of his office, upon orders signed by the auditor of public accounts, and shall, on or before the the first day of December, annually report to the city council a true account of his receipts and disbursements, with the necessary vouchers for the same, and shall deliver to his successor in office all books, papers, moneys, accounts, or other property belonging to the city.

PART 3.—ASSESSOR AND COLLECTOR.

Sec. 1. The assessor and collector shall be appointed, qualified, and give bonds as provided for the treasurer.

(For duties see "Ordinance in relation to assessing and collecting City Taxes, page .)

PART 4.—MARSHAL.

Sec. 1. The marshal shall be appointed, qualified, and give bonds in the same manner as for the treasurer; provided, he shall give bonds in the penal sum of five thousand dollars.

Sec. 2. The marshal shall by himself or deputies attend all regular and special meetings of the city council; have charge of the City Hall, and see that the same is lighted and warmed when necessary; act as doorkeeper or sergeant-at-arms; execute all orders of the mayor or council; preserve the peace and good order of the city; quell all riots, arrest and bring disorderly persons before the mayor or aldermen for trial, either with or without process; serve all process issued by the municipal court, mayor or any alderman to him directed; attend the sessions of the municipal court and see that all orders and judgments of said courts are carried into effect; also see to the peace and good order of all public meetings; and said marshal may at any time call on the city police to assist in maintaining the peace and good order of the city.

Sec. 3. The marshal shall have power to appoint one or more deputies as he may deem necessary, for whom he shall be responsible, whose term of office shall expire with that of the marshal, or may by him be removed at pleasure, which said deputy or deputies shall, before acting as such, take an oath for the faithful performance of the duties of their office.

PART 5.—AUDITOR OF PUBLIC ACCOUNTS.

Sec. 1. There shall be an auditor of public accounts, who shall be appointed, qualified and give bonds as provided for the treasurer.

Sec. 2. It shall be the duty of the auditor to examine and audit all public accounts connected with the financial affairs of the city, and issue orders upon the treasurer in liquidation of claims allowed or appropriations made by the city council.

Sec. 3. He shall have the custody of, and keep all books, papers, records, documents, vouchers and all conveyances, leases, mortgages, bonds and other securities appertaining to the fiscal affairs and the property of the city, which are not required by ordinance to be kept in some other office or place, and to have charge of all property of the city where no other provision is made by ordinance for the keeping thereof.

Sec. 4. The auditor shall make report of his doings on or before the tenth day of December annually to the city council, or oftener, if required, and shall deliver to his successor in office, all books, moneys, accounts, or other property in his custody belonging to the city, as soon as his successor shall be qualified.

PART 6.—POLICE.

Sec. 1. There shall be a captain of police, who shall be appointed by the city council, and before entering upon the duties of his office shall take an oath to faithfully discharge the duties thereof.

Sec. 2. The captain of police shall have the direction and control of the police, who shall in any case of breach of ordinance arrest the person or persons, or report the same forthwith to the mayor or alderman, and shall be under the direction of the city marshal in maintaining the peace and good order of the city. He shall report quarterly in writing to the city council a true and certified account of the number and order of crimes that have come within his knowledge, and also the kind and amount of service performed by each policeman.

Sec. 3. Each policeman shall be paid by an order given from the auditor out of any money in the treasury not otherwise appropriated, the sum of three dollars for every day's service performed in guarding and maintaining the peace and good order of said city, each day to include twelve hours and all the service to be performed in twenty four hours.

Sec. 4. When there is not sufficient means in the treasury to pay the amount due the police, the auditor shall make an equal dividend of the amount in the treasury appropriated for that purpose, and draw an order on the treasurer in favor of each policeman in proportion to the amount due him.

Sec. 5. Any policeman may arrest and bring offenders before the mayor or any alderman, with or without process, and shall be subject to the orders and directions of the captain of police.

PART 7.—SEALER OF WEIGHTS AND MEASURES.

Sec. 1. There shall be a sealer of weights and measures appointed by said council, who shall, before entering upon the duties of his office, take an oath and give bonds in the penal sum of one thousand dollars conditioned for the faithful performance of the duties thereof, which said bonds shall be approved by and filed with the city recorder.

Sec. 2. The sealer of weights and measures shall, twice in every year from the date of this ordinance, at intervals not exceeding seven months, examine and test the accuracy of all weights, measures, scales, or other things used by any person for weighing or measuring any thing bought or sold, to stamp with a suitable seal to be prescribed by the mayor, all weights, measures and scales so used, which he may find conformed, or which may be made to conform, to the standard prescribed by the laws of this Territory, and to deliver to the owner thereof a certificate of their accuracy.

Sec. 3. It shall further be his duty to register the names of all persons whose weights, measures or scales he may find to be accurate, and of all persons who fail to have the same corrected when not so found, and to immediately report such persons to the mayor or aldermen; he shall also further report in writing every six months to the city recorder the names of the persons and number of weights, measures and scales examined and found by him to be correct.

Sec. 4. All persons using weights, measures, scales or other things for weighing or measuring any article bought or sold in this city shall cause the same to be examined, tested and sealed as hereinbefore provided; and any person failing so to do shall be liable to pay a fine of not less than one nor more than fifty dollars for each offence, and all damages accruing to any party injured in consequence of any such failure or neglect.

Sec. 5. The inspector of weights and measures shall be entitled to receive for each examination, testing, sealing and certifying as hereinbefore required from the owner of the same as follows:—

Any steelyards, or beam, ground, floor, platform, counter,
or other scale by which may be weighed not exceeding
two hundred pounds

Any such instrument by which may be weighed over two	
hundred and less than six hundred pounds	50c.
Over six hundred and less than twelve hundred pounds	\$1.00
Over twelve hundred pounds	1.50
For any yard stick, dry or liquor measure	10c.
Any nest or set of measures	25c.

and the weights attached to any scale shall as to the compensation of the sealer of weights and measures be considered a part of the scale; provided that where any such weight, measure or instrument, upon subsequent examination, be found correct, and shall not be required to be stamped a second time, the aforesaid sealer of weights and measures shall not receive more than one half the compensation provided for.

Sec. 6. The sealer of weights and measures shall examine and test any of the before mentioned instruments for weighing or measuring on application by any person who shall tender to him the fee, which, by the preceding section, he is authorized to receive; and he shall, in every case where he may employ labor or material in making accurate any weight or measure, be entitled to extra compensation therefor, and to retain the article upon which such labor or material has been employed until such compensation be paid.

Sec. 7. All ordinances, parts of ordinances or resolutions conflicting with the foregoing are hereby repealed.

PASSED Jan. 4, 1859.

An Ordinance defining the Duties of City Sexton.

Sec. 1. It is hereby made the duty of the city sexton to take charge of the public burying grounds in said city; to see to the digging of graves; furnishing of coffins, and conveying the dead when called upon so to do by any who wish to bury in said grounds. And he is hereby authorized to sell lots therein and to collect all dues arising from any such sales, and pay the same every three months into the city treasury. He shall furnish each purchaser of a lot or lots with a certificate of the same, which certificate, when recorded by the city recorder, shall constitute a legal title to said lot or lots.

Sec. 2. It is hereby made the duty of the city sexton to keep a record of all deaths of persons buried in said burying ground which shall come under his observation, or shall be reported to him by the citizens of said city, which record shall include the name of the person deceased, with his or her parents' names; where and

when born; the time of death and the cause thereof; together with the name of the physician or nurse who attended such person.

Sec. 3. And it is hereby made the duty of the relatives or friends of deceased persons buried in said grounds to report the same, together with the information required in the preceding section, to the city sexton, in all cases which might not otherwise come under his observation.

Sec. 4. And that for all services rendered by the city sexton as required in this ordinance he shall be entitled to compensation as follows:

For furnishing and staining plain coffin, per foot, running measure	\$1.25
For digging grave four feet in length and under, and four and half feet deep	2.00
For all graves over four feet in length and five feet and a half deep	3.00

The above prices shall include the replacing of the earth in all graves dug by said sexton.

For conveying the dead from any part of said city to the burying ground	\$2.50
For recording, as required in the 3rd section of this ordinance	25

Sec. 5. Be it further ordained that any person or persons who shall be found burying in said grounds, without first obtaining the lot on which they bury; or permission of the person owning the lot, or of the city sexton, shall be liable if required to disinter the body, and pay a fine in any sum not exceeding fifty dollars for each offence.

Sec. 6. Any person or persons who shall disinter any body buried in said grounds, excepting under the direction of the city sexton; or shall injure any monument, shrub, tree, or any other property belonging to said grounds or being thereon, shall be liable to pay all damages, and a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding six months, or both such fine and imprisonment.

Sec. 7. An ordinance, entitled "An Ordinance regulating the Duties of Sexton," passed March 10, 1851, is hereby repealed.

PASSED March 11, 1859.

An Ordinance relating to Supervisor of Streets.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that the supervisor of streets shall be appointed by the city

council, and shall before entering upon his duties, take an oath of office and give bonds, with approved security, to the people of Great Salt Lake City, in the penal sum of ten thousand dollars, conditioned for the faithful performance of the duties thereof, which said bonds shall be approved by and filed with the city recorder.

Sec. 2. The supervisor may appoint assistant supervisors in the various wards as he may deem necessary, who shall be under his direction.

Sec. 3. It shall be the duty of the supervisor to see that all ordinances, passed by the city council, relating to improvements of streets, sidewalks and ditches, are complied with. It shall also be his duty to collect and expend the road tax, under the direction of the city council.

Sec. 3. It shall further be his duty to give to each person required to labor upon the streets not less than three days' notice of time and place where such labor is required to be done, and any person failing to attend shall be notified again, and, if upon the second notice he shall neglect or refuse to perform said labor, the supervisor shall make returns of all delinquents to the city collector, which shall be done on or before the first day of December of each year, and he shall proceed thereon as with other delinquent tax payers.

Sec. 5. The supervisor shall make a full report quarterly, in writing, to the auditor of the amount of road tax collected; where and how expended; and further, it shall be his duty to take charge of all city property, tools or other material kept for working the streets.

Sec. 6. All ordinances, parts of ordinances, and resolutions conflicting with the foregoing are hereby repealed.

PASSED Oct. 16, 1858.

A Resolution to Enclose Great Salt Lake City Cemetery and to make an Appropriation therefor.

Be it resolved by the City Council of Great Salt Lake City, that the cemetery, known as the Public Burying Ground in said city, shall be enclosed with a good substantial cobble stone wall, that said wall shall be laid in lime mortar, one foot below the surface of the ground and six above. The width to be two feet at the bottom and ten inches at the top. Said wall shall enclose a piece of ground fifty two rods by fifty four; that the sum of three thousand dollars be, and hereby is appropriated out of any money in the treasury not otherwise appropriated for that purpose.

PASSED March 6, 1857.

An Ordinance providing for the Regulating of Ditches and Side Walks.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that all persons are hereby forbidden to dig ditches in any of the streets of this city, except they dig them twenty feet from the line of their lots; and further, they are hereby forbidden to dig ditches or water courses across the side walks or streets, unless they stone or culvert the ditches across said side walks, and pave or culvert the ditches across the streets, under the direction of any city supervisor; and any person or persons infringing upon this ordinance, except by permission from the city council, shall forfeit and pay a sum not less than one dollar, nor exceeding one hundred dollars.

PASSED Nov. 24, 1854.

An Ordinance in relation to Removing Obstructions from the Side Walks and Streets.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that ever holder of lots on the streets that are now opened, is hereby required to remove from the streets and side walks, fronting said lots, wagons, lumber, wood, cow yards, boxes, fencing, or other obstructions, on or before the first day of April next; and any person who shall leave or fail to remove any of the above articles, or in any way obstruct any of the side walks or streets that may or shall be opened after the first day of April next; except by permission of the city council, shall be liable to pay a fine in any sum not less than five, nor more than fifty dollars for each offence.

PASSED Feb. 3, 1851.

An Ordinance in relation to Tearing Down Ordinances posted up in Great Salt Lake City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that any person or persons tearing down or defacing any ordinance or any paper posted up by order of the city council, shall be liable to pay a fine of not less than five, nor more than fifty dollars for every such offence.

PASSED March 3, 1851.

An Ordinance in relation to Dogs.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that every person having a dog or dogs, who shall permit or suffer the same to enter the Tabernacle on public days, or any other place of public meeting within this city, shall be liable to pay a fine of five dollars for every such offence, and the same may be collected forthwith by any officer.

Sec. 2. Any person keeping a dog or dogs within the limits of this city, shall pay a tax of one dollar per annum for each dog; and the assessor and collector shall collect the said tax as other taxes of said city.

Sec. 3. All fines, or taxes, so collected, shall be paid into the city treasury.

PASSED March 3, 1851.

An Ordinance amending an Ordinance in relation to Dogs.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that any female dog found off the premises of its owner within said city, shall be liable to be killed, while on the premises of another or in the streets, by any person injured or annoyed thereby.

Sec. 2. This ordinance to be in force from and after its passage.

PASSED May 4, 1855.

An Ordinance authorizing a City Police.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that the mayor of said city is hereby authorized to raise a city watch, to act as policemen, not exceeding forty in number, and to assign them their duties and distribution of services in their respective wards.

Sec. 2. The policemen shall be entitled to receive the sum of twenty-five cents per hour, for faithful services rendered, upon the certificate of the captain of the police.

Sec. 3. The mayor shall have power to control and direct the police of the city; and the captain of the police shall make report to the mayor, and keep him at all times advised of all misdemeanors or breach of ordinances that come within his knowledge.

Sec. 4. Nothing in this ordinance shall be so construed as to prevent the mayor from calling a stronger police, when, in his judgment, the exigencies of the times shall require it, or from dispensing with any portion thereof when he shall deem it safe to do so.

PASSED March 10, 1851.

An Ordinance regulating Quarantine.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that a quarantine ground be, and is hereby established at the mouth of Emigration kanyon.

Sec. 2. Be it further ordained that the city council appoint one or more physicians to be and remain upon that ground during the emigration passing through.

Sec. 3. Be it further ordained, that it shall be the duty of said physician or physicians to see that no emigrants nor any of their effects pass the quarantine ground, until they have been examined and declared to be in a healthy condition.

Sec. 4. Be it further ordained, that all persons refusing to comply with the above requirements, shall pay a fine of not less than five, nor more than one hundred dollars, or be imprisoned not to exceed six months, or by both fine and imprisonment at the discretion of the court.

Sec. 5. Be it further ordained, that if any person or persons, or any of their effects, shall be found in an unhealthy condition, they shall be required to move the same to such place or places as the physician may direct, within twenty four hours. Any person refusing to comply therewith, it shall be the duty of the physician to have it done at the expence of the owner.

Sec. 6. Be it further ordained, that no person or persons emigrating through this city shall be permitted to camp within the public streets thereof under penalty of fine not to exceed fifty dollars for each offence.

PASSED March 17, 1851.

An Ordinance in relation to Butchering and the Meat Markets.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that no person shall be allowed to erect a slaughter house or yard in either of the wards of this city, except under the direction of the alderman of said wards.

Sec. 2. All persons who now are, or have been using any house or yard for slaughtering, or any meat market, shall forthwith remove, or bury all nuisances arising from the use of said house, yard, or market.

Sec. 3. No person or persons shall be allowed to establish a butchery or meat market within the limits of this city without a license from the city council; and all butchers so licensed shall keep a book, in which they shall record a faithful description of all cattle

killed by them, together with the name of the person from whom received, and the time when killed.

Sec. 4. It shall be the duty of the butchers, licensed as aforesaid, to use due diligence to keep a supply of meat in market, at some convenient place or places in said city.

Sec. 5. Any person violating this ordinance shall be liable to be fined in any sum not less than ten, nor more than one hundred dollars for each offence.

PASSED March 21, 1851.

Resolution establishing the Amount paid for Butcher's Licenses.

Sec. 1. *Be it resolved by the City Council of Great Salt Lake City,* that all persons who receive license from the city council for establishing a butchery, or keeping a meat market, shall pay quarterly in advance to the corporation the sum of twenty five dollars per annum.

PASSED May 5, 1851.

An Ordinance for the Prevention and Removal of Filth from the Water Courses.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that no person or persons shall be allowed to build cow yards, privies, or deposit any filthy substance in or near any of the streams running through this city, so as to affect the waters thereof.

Sec. 2. Any person or persons having filth of yards, pens, privies, or any hides, or other filthy substance, on the banks or in the waters of any of the streams of this city, are hereby required to remove the same forthwith.

Sec. 3. Any person or persons neglecting or refusing to comply with the foregoing ordinance, shall be liable to pay a fine of not less than five, nor more than fifty dollars for each offence.

PASSED March 21, 1851.

An Ordinance regulating Auctioneers and Commission Merchants in Great Salt Lake City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that no person or persons shall, after the posting up of this

ordinance sell or expose for sale by way of vendue or auction, any property within the limits of this city, unless such person or persons shall reside within the limits of this city, and first obtain a license for the term of one year for this purpose from the city council of said city; for which such person or persons shall pay to the corporation the sum of one per cent. on all goods sold by him or them, and give bonds to the mayor and city council, with good securities, in the sum of one thousand dollars, for the honest and due performance of all duties as herein required.

Sec. 2. Be it further ordained, that if any person or persons shall be found selling or disposing of any property, within the limits of Great Salt Lake City, by way of vendue or auction, without having obtained such license, and giving such securities as aforesaid, such person or persons, upon conviction thereof, shall be liable to pay a fine of not less than five, nor more than twenty five dollars for every such offence.

Sec. 3. Be it further ordained, that the auctioneer or auctioneers, licensed as aforesaid, shall receive all articles which he or they shall be required to sell at auction, giving his or their receipt for the same, if required; and within ten days after any sale, shall deliver a fair account of the same, and pay the amount thereof to the person or persons entitled thereto, deducting therefrom fees and commissions hereafter allowed; that is to say, on the account of the sale of the property, a commission not exceeding twenty per cent. on all property sold.

Sec. 4. It shall be the duty of every auctioneer, licensed as aforesaid, to pay over the sum of one per cent. to the corporation, on all goods sold by him, once in three months; and in accounting for such duties, it shall be incumbent on every auctioneer to make his returns under oath or affirmation, and exhibit to the city recorder his books of sales, when required so to do by said recorder, and should any such auctioneer neglect or refuse to comply with the duties imposed on him, he shall forfeit his license, and be liable to pay a fine of not less than five, nor more than fifty dollars.

Sec. 5. If any goods or property shall be consigned to any auctioneer or auctioneers of this city, licensed, as commission merchants, to be sold on commission at private sale, he or they may sell the same at private sale, and receive such fees or per cent. as may be agreed on by the parties, by paying the said one per cent. to the city corporation, on all proceeds arising from said sales, except such articles as are manufactured within the limits of this Territory.

Sec. 6. Nothing in this ordinance shall be so construed as to prohibit any sheriff, constable, or other officer, whose duty shall require him to levy on any property, and sell the same at public

auction on the execution or judgment of any of the courts of this Territory.

PASSED April 14, 1851.

Resolution in relation to Ditching.

Resolved by the City Council of Great Salt Lake City, that all persons owning lots on the State road, south of Emigration street, may have the privilege of digging ditches for fencing on the edge of the streets next to their own lots, not to exceed four feet wide, and three feet deep, laying the embankment of said ditch on their own lots.

PASSED March 3, 1852.

An Ordinance in relation to Discharging Fire Arms in Great Salt Lake City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that there shall be no firing of guns or pistols within the limits of this corporation between the hours of sunset and sunrise, or on the Sabbath day, except in case of alarm.

Sec. 2. Any person neglecting to comply with this ordinance, shall be liable to pay a fine in any sum not less than one, nor more than ten dollars, for every such offence.

Passed Sept. 21, 1855.

An Ordinance in relation to Assessing and Collecting City Taxes.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that it shall be the duty of the city assessor and collector to assess all taxable property within the limits of the city, at its fair cash value, and make returns to the city council of the same between the first of April and the first of June, 1854. And said assessor shall, thereafter assess and make returns to the city council between the first of January and the first of April annually.

Sec. 2. The first assessment on goods brought into this city for sale shall be made by adding to the amount of the invoice the average per cent realized, or intended to be. And goods thus assessed, but remaining unsold at the time of the next assessment, shall be assessed like other taxable property, and goods brought in by transient traders shall be assessed, and the tax collected when they are exposed for sale.

Immediately after the receipt of any lot of goods intended for sale, the owner or agent shall furnish the assessor and collector with the correct amount of the invoice, a copy of which he shall file in the office of the city recorder; and when such invoice cannot be obtained, the assessor and collector shall assess such goods as other taxable property.

Sec. 3. In making such assessments the assessor shall provide himself with suitable books, properly ruled for such purposes, and shall make his tax list in alphabetical order; he also shall pursue that course in his official duties, which in his judgment, will enable him to complete the assessment in the most uniform manner, and in the shortest time. To aid him therein, he may, when necessary, leave with any person, or at his residence, a copy of the blank form of the tax list, with the name of the person required to fill the same, and a reasonable date thereon, at or before which it must be returned, written on the back thereof; and any person furnished with said list, must comply with the requirement.

Sec. 4. It shall be the duty of the assessor and collector to return the assessment list on or before the first Saturday in June of 1854, and thereafter on the second Saturday of April in each year.

Sec. 5. It shall be the duty of the city council to sit on the first Saturday in June of 1854, and thereafter, on the second Saturday of April in each year, and continue to sit from day to day; to hear complaints (if any) and adjust the same, and to determine the assessor and collector's compensation.

Sec. 6. Immediately after the adjournment of the council, the recorder shall write upon the head of the tax list, the rate per cent. for city and road purposes for that year; and set each persons amount of city and road tax in the proper columns opposite his name; he shall also furnish the supervisor of the city with a correct copy of the list, with the amount of tax for road purposes affixed to each name in their respective wards, and file the original list with the office records.

Sec. 7. The assessor and collector shall proceed to collect the amount of tax assessed for city purposes, and pay the amount collected into the city treasury, quarterly, or oftener if required, and take receipts for all payments, and shall, on or before the first day of December, make a full report to, and settlement of all accounts with the auditor.

Sec. 8. It shall be the duty of the auditor to keep an account with the assessor and collector, debiting him with the amount of tax for city purposes and crediting him with the amount of tax paid in, and the compensation allowed him for his services.

Sec. 9. In case any person neglects or refuses to pay his tax when required, the assessor and collector is authorized and em-

powered to take and sell in manner most advantageous for the owner, enough taxable property belonging to the delinquent, to pay his tax, and cost of collection, and if said property is to be sold at public sale, he shall give not less than ten days notice of the time, place and kind of property.

Sec. 10. The assessor and collector is required and empowered to collect taxes at the rate of the previous year from any person he presumes will remove from the city before the regular time for collection, and to assess any person or property, accidentally omitted during the time for assessments, and must report his doings under this section, in the same manner as though done within the regular time.

Sec. 11. Any person refusing or neglecting to comply with this ordinance, shall be liable to a fine of not less than ten, nor more than one hundred dollars.

PASSED March 24, 1854.

An Ordinance prohibiting the Riding or Driving Horses, Mules or Teams on the Side Walk.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that any person, riding or driving any horse, mule, or other animal or team upon any side walk in this city, shall be liable for all damages done to side walk, trees, fences or other improvements, around said walk, and a fine of not less than one, nor more than twenty five dollars for every such offence.

PASSED March 24, 1853.

An Ordinance in relation to Animals running at large within the limits of Great Salt Lake City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that no cattle, horses, mules, sheep or hogs shall be allowed to run at large within the limits of said city.

Sec. 2. *Be it further ordained that* all cattle, horses, mules, sheep or hogs running at large within the limits of this city, shall be liable to be taken up by any person or persons, and driven to the public stray pound, and the owner to a fine of not less than one, nor more than five dollars for each offence, and further to pay all damages done by said animals.

Sec. 3. Nothing in the preceding sections shall be so construed as to prevent any of the citizens from herding milch cows, work

cattle, horses or sheep on the borders of said city; provided they are in charge of competent herdsmen.

PASSED July 16, 1854.

Resolutions relating to Animals running over the Jordan Bridge.

Resolved, by the City Council of Great Salt Lake City, that no person or persons shall be allowed to ride or drive any animal faster than a walk across the bridge over Jordan river, on North Temple street.

And be it further resolved, that no person or persons shall be allowed to drive upon said bridge, more than twenty five head of cattle or horses, one hundred head of sheep, nor more than one loaded wagon at the same time. Any person not observing these restrictions shall be liable to a fine of five dollars for every such offence, and pay all damages.

PASSED July 16, 1854.

An Ordinance in relation to Common Schools in Great Salt Lake City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that said city be, and is hereby divided into school districts, corresponding in number and boundary with the several bishops' wards.

Sec. 2. The bishops of the several school districts are hereby authorized to call a meeting of the members of their respective districts, on or before the first Saturday in June next, or as soon thereafter as practicable, at which meeting there shall be elected three trustees for each district, whose term of office shall be during the pleasure of the people; said trustees may appoint their own clerk; and they are hereby authorized and required to call meetings of all legal voters and tax payers in their districts, for the purpose of allowing the voters to determine the nature and extent of the improvements for school purposes, which shall be governed by the votes of the majority; and either of said trustees are empowered to call a meeting for the purpose of filling any vacancy that may occur in their number by removal, or resignation.

Sec. 3. The trustees shall have power to assess and collect a tax upon all taxable property, which shall not exceed three per cent. per annum, for the purpose of building and keeping in repair suitable school houses in their respective districts; and also, for fencing

and all necessary outhouses. In case of the refusal of any person to pay the tax assessed upon being duly notified thereof, the trustees have power to take and dispose of real and personal estate to pay said tax. They shall give ten days notice of the time and place of sale, by posting up notices in three public places in said city and any conveyance made upon such sale shall be deemed valid.

Sec. 4. It shall be the duty of the trustees to employ teachers and superintend the schools in their respective districts; to furnish fuel and all other things necessary for the convenience of the schools.

Sec. 5. The trustees are hereby authorized and empowered to collect from each individual who may patronize said school or schools, their proportion due for fuel, according to the number of scholars sent.

Sec. 6. The aforesaid trustees shall be required to give bonds and security of not less than five thousand dollars for the faithful performance of their duty, to be filed in the office of the city recorder.

Sec. 7. The trustees of the several districts shall make reports quarterly to the city council, of the number of scholars who have attended school during the past quarter; the amount of improvements, buildings and repairs for said school, and the tax collected and expended thereon; and in case either of said trustees fail to perform their official duties, the city marshal is authorized and required to forthwith enter a complaint to the city council against said trustees.

Sec. 8. Be it further ordained, that there shall be a board of examination appointed by the city council for the several districts of the city, consisting of three competent persons, whose duty it shall be to hear and determine the qualifications of school teachers. All applicants of a good moral character, that are considered competent, shall receive a certificate to that effect, signed by the board.

PASSED May 4, 1855.

An Ordinance regulating the Measurement of Stone and Mason Work,

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all walls of mason work, whether of stone or adobies, shall be measured as solid; also all flues, fire places, ovens, boilers, cooking ranges, grate settings, furnaces, copper settings and other like works.

Sec. 2. That a perch of mason work shall be sixteen and a half

square feet, including openings; and that six adobies, each twelve inches long, five inches and three quarters wide, and four inches thick, shall be, when laid in a wall, one foot.

Sec. 3. That all paving, flagging, plain plastering hard finish, and rough casting including openings, be measured by superficial measurement; also, all cut stone, plain tooled, such as door steps, door sills, coping and hearth stone, those parts only which show when set; and that all window sills, caps and water table be measured by running measurement.

PASSED Nov. 24, 1854.

An Ordinance in relation to Crimes and Punishments.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that if any two or more persons shall engage in a fight within the limits of this city they shall be liable to be fined in any sum not less than five, nor more than one hundred dollars for each offence.

Sec. 2. If any person shall assault another by menacing or threatening without provocation, or assault and beat another, he shall be liable to be fined in any sum not exceeding one hundred dollars, or imprisoned not exceeding six months or both.

Sec. 3. If any person or persons shall, in a tumultuous manner, commit a disturbance of the peace, by brawling or noisy acclamations, they shall be liable to be fined in any sum not exceeding twenty five dollars.

Sec. 4. If any person or persons shall be found drunk in the streets of this city, or in any place, he or they shall be liable to be fined in any sum not less than two, nor more than twenty five dollars, for every such offence.

Sec. 5. If any person or persons shall resist or abuse the marshal or any city officer in the exercise of his official duties, they shall be liable to be fined in any sum not exceeding one hundred dollars, or imprisoned not more than six months, or both at the discretion of the court.

Sec. 6. Any person refusing when called upon by the marshal or any city officer to aid arresting and securing an offender, shall be liable to be fined in any sum, not less than five, nor more than fifty dollars for every such offence.

Sec. 7. Any person knowingly and maliciously destroying or injuring any public or private property, shall be liable to pay all damages, and be fined in any sum not exceeding one hundred dollars, or to imprisonment not to exceed six months, or both.

Sec. 8. If any person steal property not exceeding twenty dollars, he shall be liable to pay four fold, or fined in any sum not exceeding one hundred dollars, or by both, or may be imprisoned not exceeding six months.

Sec. 9. If any person shall disturb a public assembly who have congregated for religious purposes, or for civil recreation by any undue noise, or behaving in an indecent or unbecoming manner, in defiance of good order, he shall be liable to be fined in any sum not exceeding one hundred dollars, or imprisoned not to exceed six months.

Sec. 10. If any person maliciously kill, maim or disfigure any horse, ox, or other domestic beast, the property of another, or maliciously administer poison to any such animals, or expose any poisonous substances, with the intent that the same shall be taken by them, he shall be liable to be punished by imprisonment not exceeding six months, or by fine not exceeding one hundred dollars or both.

Sec. 11. If any person maliciously take down, injure or remove any monument erected, or any tree marked as a boundary of any tract of land, or city lot, or destroy, deface or alter the marks of any monument, he shall be liable to be punished by imprisonment not more than six months, or by fine not more than one hundred dollars, or by fine and imprisonment at the discretion of the court.

Sec. 12. If any person maliciously injure, deface or destroy any building or fixture attached thereto, or wilfully and maliciously injure, destroy or secrete any goods, chattels or valuable paper of another, or maliciously prepare any deadfall, or dig any pit, or set any gun, or arrange any other trap to injure another's person or property, he shall be liable to be imprisoned not more than six months, or fined not more than one hundred dollars, or by both fine and imprisonment, at the discretion of the court, and be liable to pay all damages sustained by the party injured.

Sec. 13. Any person who shall sell or expose for sale any unhealthy provisions, whether meat or drink, such as bad beef, pork, mutton or other meat, made so by improper food, heating, age or otherwise; also stale or otherwise impure flour, meal, grain or vegetables, or adulterated or unwholesome spirituous or malt liquors, or other beverage intended for drinks or liquors, or any other kind of provisions or preparations, or condiments, or seasoning for meats or drinks, shall, upon conviction of the same, be liable to pay a fine in any sum not exceeding one hundred dollars, or imprisoned not more than six months, or by both, at the discretion of the court having jurisdiction, and the articles above specified shall be forfeited to the city.

Sec. 14. When three or more persons together, and in a violent

and tumultuous manner, commit an unlawful act, or, together, do a lawful act in an unlawful, violent or tumultuous manner, to the disturbance of others, they are guilty of a riot, and every such offender shall be liable to be punished by imprisonment not more than six months, or by fine not more than one hundred dollars, or by both.

Sec. 15. When three or more persons shall be riotously, unlawfully, or tumultuously assembled, the mayor or any alderman who shall have a knowledge, or be informed thereof, is hereby authorized to make proclamation among the persons so assembled, or as near to them as he can safely come, charging and commanding them immediately to disperse and peacefully to depart to their habitations or lawful pursuits; and if upon proclamation being made such persons shall not obey such proclamation, the aforesaid mayor or alderman may command the marshal, or any number of police, and all persons there being, and the full power of the city, and order the offenders be brought before him to be dealt with according to law.

Sec. 16. Any person refusing to give prompt assistance after the making of the above proclamation, and a call for their services being given to secure any offenders mentioned in the preceding section, shall be liable to imprisonment not exceeding thirty days, or fine not exceeding one hundred dollars, or by both fine and imprisonment.

Sec. 17. If any person keep a house, shop, or any other place resorted to for the purpose of gambling, or permit or suffer any person in any house, shop, or other place under his control or care, to play at cards, dice, faro, or roulette, or other game for money or other things, such offender for each offence shall be liable to be fined not more than one hundred dollars, or imprisoned not exceeding six months, or both, at the discretion of the court. In a prosecution under this section any person who has the charge of, or attends to any such house, shop or place may be deemed the keeper thereof; and any person renting out a house or place for the purpose of gambling, shall be liable to the penalties prescribed in this section.

Sec. 18. If any person play at any game for any sum of money, or other property of any value, or make any bet or wager for money, or other property of value, shall be liable to be punished by fine, not exceeding one hundred dollars, or by imprisonment not exceeding six months, or by both fine and imprisonment.

Sec. 19. If any person or persons be found exciting disturbance or contention at a tavern, court, election or other meeting of citizens, he shall be liable to a fine in any sum not exceeding ten dol-

lars, or be imprisoned or put to hard labor not more than ten days, or by both fine and imprisonment.

Sec. 20. Any person who shall be convicted of sporting, rioting, quarreling, hunting, fishing or participating in any kind of irreligious amusements, or unnecessary labor on the Sabbath day, shall be liable to a fine in any sum not exceeding ten dollars, or imprisonment not exceeding ten days, or both.

Sec. 21. Any person who shall be found running horses in any of the streets of this city, unless upon good cause shown such fast riding shall be deemed justifiable, shall be liable to a fine in any sum not exceeding ten dollars and pay all damages.

PASSED August 19, 1859.

An Ordinance in relation to Swearing and Threatening.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that any person profaning the name of Deity shall be subject to a fine of not less than one, nor more than ten dollars, or from one to five days hard labor, or both, at the discretion of the court.

Sec. 2. Any person threatening to take or endanger the life of a fellow being, or to molest any officer in the discharge of his duty, shall be liable to a fine in any sum not exceeding one hundred dollars, or imprisonment not exceeding six months, or both at the discretion of the court.

Sec. 3. *Be it further ordained* that if any person shall provoke another to an assault by menacing, insulting, slanderous or abusive language, he shall be liable to a fine in any sum not exceeding fifty dollars or imprisonment not exceeding two months, or both, at the discretion of the court.

PASSED Feb. 22, 1856.

An Ordinance in reference to Vagrants.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that any person, within the limits of this city, having no visible means of support shall be deemed a vagrant.

Sec. 2. It shall be the duty of the marshal or any policeman of said city to arrest, with or without process, and bring before the mayor or any alderman of said city, the aforesaid person or persons, who, upon conviction thereof, shall be compelled to labor upon the public streets not exceeding ninety days.

Sec. 3. The foregoing shall apply also to all loafers who are found standing or loitering about the corners of streets, public houses, stores or other public places.

PASSED Nov. 24, 1854.

An Ordinance regulating the Mode of Procedure in Cases arising under the Ordinances of the City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that whenever a complaint is made before the mayor or any alderman of said city, on oath or affirmation; or if the mayor or any alderman has any personal knowledge that any breach of the ordinances of the city has been committed, he shall forthwith issue a warrant, directed to the marshal, or any of his deputies, for the arrest of the offender or offenders, and bring him or them before said mayor or alderman.

Sec. 2. When the mayor or any alderman, or any peace officer of the city, shall witness any breach of the ordinances of the city, he may arrest the offender or cause it to be done, with or without process, and bring him before any of the above respective courts.

Sec. 3. Any person who has arrested another for the commission of a public offence, must, without unnecessary delay, take him before the mayor or some one of the aldermen, or deliver him to some peace officer.

Sec. 4. When any person shall be brought before the municipal court, or the mayor or any alderman, it shall be determined whether such person shall be put upon trial or released.

Sec. 5. If it be determined that the accused be put upon trial immediately, it shall not be necessary to make any complaint in writing. The court shall issue subpoenas requiring the marshal or any of his deputies to summon all the witnesses required, provided neither party shall have more than three witnesses to prove any one fact, and shall forthwith, or at its earliest convenience, proceed to hear the evidence and determine in a summary way upon the complaint alleged against the offender and enter judgment.

Sec. 6. If any important witness be absent, the court may adjourn until such witness be present.

Sec. 7. Upon good cause shown the court may postpone the trial, and if necessity require it, shall order the defendant to enter into recognizance with sufficient security to appear at such time as the court may determine to answer the complaint made against him. If he fail to give sufficient securities for his appearance, he shall be committed to the city prison until the time of trial.

Sec. 8. The officer having made the returns of warrant and the subpoenas in due form, the complaint (when made in writing) shall be read. The defendant being put upon trial, shall be inquired of whether he is guilty or not guilty. If the accused plead guilty, the court may inquire into the amount of guilt and decide accordingly.

Sec. 9. If he plead not guilty, the evidence on the part of the accusation shall be heard, then that of the accused; after which, if either party can satisfy the court that important evidence which he can procure is still wanting, his demand may be complied with. When all the evidence is heard, the accuser may make such applicable remarks as he shall deem proper, and also the accused; and the court shall render judgment as soon as practicable.

Sec. 10. The court shall keep a docket book, in which shall be entered the nature of the complaint, the witnesses who testified in the case, and the judgment of the court.

Sec. 11. Should the defendant refuse to pay the fine and costs awarded in the judgment, the court may commit him to the city prison, or cause him to work upon the public highways, either with or without a ball and chain, as the court may direct, or may hire him out to any responsible person until such fine and costs be paid.

Sec. 12. In cases where judgment is rendered and the defendant has property, and refuses or neglects to comply with the judgment rendered, the court shall issue an order to the marshal requiring him to take property sufficient, to satisfy the fine and costs, into his possession, and execute the same without delay and make returns of his doings.

Sec. 13. When property is taken to satisfy a judgment, and is to be sold at public sale, the marshal shall give public notice of time and place of sale and a summary of the kind of property, allowing ten days from the service of execution to the day of sale, unless the interest of the defendant shall require a shorter time and shall make returns within five days from the day of sale, and pay over to the court all moneys arising from said sale. The court shall award the costs according to ordinance, and all fines shall be paid into the city treasury within three months.

Sec. 14. Before the municipal court, if required by either party, the court shall issue a venire, requiring the marshal or any of his deputies to summon twelve judicious persons, or a less number, if agreed upon by the parties, to set as jurors, who may be objected to for cause one by one by either party alternately. If any are removed their places shall be filled, and when the number is complete, they shall be sworn to give a just verdict, and to have no communication with any but the court, or a fellow juror, upon the case before them, until they have agreed upon their verdict, which

must be done with diligence, and may be given when three-fourths of their number concur.

Sec. 15. The municipal court or the mayor, or any alderman's court may require any person or persons to give bonds with securities to keep the peace upon complaint being made that any person has threatened, or is about to commit any offence against the person or property of another.

Sec. 16. And it shall be the duty of such court to examine such complaint and any witness that may be brought on oath, and if, on examination, the court is satisfied from the testimony that there is sufficient grounds to fear such an offence by the person complained of, it shall be the duty of such court to issue a warrant reciting the complaint, and commanding the marshal or any of his deputies forthwith to bring the person so offending before said court, and if upon further examination the court finds there is reason to fear the commission of such an offence, it shall require the offender to enter into recognizance in a sum not exceeding one thousand dollars to keep the peace toward the people of this city, and particularly toward the complainant.

Sec. 17. If the party complained of as above, fail to give bonds with securities, he shall be retained in custody or committed to the city prison, or put to hard labor upon the public streets, with or without a ball and chain, at the discretion of the court, until he find such bond and securities.

Sec. 18. Any person convicted of the breach of any ordinance may, by giving notice at the time of rendering judgment, take an appeal within three days from the mayor or alderman's court to the municipal court, when the sum in question exceeds twenty dollars, or ten days imprisonment; and from the municipal court to the probate court of Great Salt Lake County when the sum exceeds forty dollars, or twenty days imprisonment; in either case the court may require the costs paid and security given that the final judgment shall be complied with and the appeal prosecuted with diligence.

Sec. 19. The above respective courts may also require of the material witnesses in any appealed case to enter into recognizance in any sum not exceeding one hundred dollars for their appearance, then and there to testify at the time any appeals shall be made returnable.

Sec. 20. In case of any property being stolen or embezzled, and the complainant suspects such property is concealed in any house or place, and the mayor or any alderman is satisfied that there is reasonable grounds of suspicion, he shall issue a warrant directed to the marshal or any of his deputies, commanding him to search diligently such places where such property is suspected to be se-

creted, and said marshal shall make returns of his doings without delay, and all property recovered under such process shall be subject to the order of the court.

Sec. 21. Any person taken into custody charged with any offence shall, by order of the court before whom he is brought, be liable to be searched for money or property he may have, and if any be found belonging to him the same may be taken and be held subject to the order of the court. Any money or property remaining after paying all expences adjudged by the court shall be returned to the prisoner upon his being discharged.

Sec. 22. All criminal prosecutions arising under the ordinances of this city must be commenced and carried on in the name of the People of Great Salt Lake City.

Sec. 23. An ordinance entitled "An ordinance regulating the mode of procedure in cases arising under the ordinances of the city," passed December 15, 1854, and all other ordinances and parts of ordinances conflicting with the foregoing are hereby repealed.

PASSED July 7, 1859.

An Ordinance defining a Lawful Fence.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that a lawful fence shall be not less than four and a half feet high, properly proportioned, and may be composed of any kind of good fencing materials, put together in such a manner as to form a good substantial fence, as above specified.

Sec. 2. "An Ordinance defining a Lawful Fence," passed March 10, 1851, is hereby repealed.

PASSED Jan. 25, 1859.

An Ordinance relating to Fencing.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all persons owning or occupying lots within the limits of said city, are hereby required to make a good and lawful fence on the street line of their lots, and keep the same in good repair.

Sec. 2. Any person failing to comply with the requirements of this ordinance shall be liable to pay all damages that may accrue from such neglect, and shall have no right to impound any citizen's animal for any damage it may do in such lot or enclosure. And

any animal found in any lot or enclosure, doing damage and having broken through a lawful fence, shall be taken to the owner if known by brand or otherwise, who shall be liable to pay all damages, which shall be appraised by three competent persons; and if the owner cannot be found, such animal or animals may be impounded and held for the amount of damage, until redeemed by the owner thereof.

PASSED March 16, 1855.

An Ordinance defining the Duties of Fence Viewers.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that it shall be, and is hereby made the duty of the several fence viewers of said city, to examine the fences in their respective wards, which enclose lots, blocks, or bishops' wards; and if not in good and lawful condition, to notify the owner or occupant thereof; and upon his or their failing to put the same in good repair forthwith, it shall be the duty of the fence viewers to report the same to the city council, with the name or names of the owner or occupant thereof.

Sec. 2. This ordinance to be in force from and after the first of May next.

PASSED March 10, 1851.

An Ordinance relating to the Water and Water Ditches for the Farming Lands in Great Salt Lake City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that all owners or occupiers of farming land within the limits of said city, are hereby required to make their proportion of good and sufficient water ditches for irrigation, and keep the same in repair, under the direction of the water master having jurisdiction, who shall be required to give reasonable notice of the time and place such work is to be done.

Sec. 2. That all persons are hereby forbidden to run water or dig ditches across any of the public roads or streets within the limits of this corporation, for the purpose of conveying water for irrigation, or other purposes, unless they stone, pave or culvert the same, under the direction of the supervisor; and no person shall be allowed to turn the water upon or across the land owned or oc-

cupied by another, unless by permission of the owner or occupant thereof.

Sec. 3. Any person or persons infringing upon this ordinance, or refusing to comply with any of its requirements shall be liable to pay any damage arising therefrom, and any fine not exceeding one hundred dollars that may be assessed by any court having jurisdiction.

PASSED March 16, 1855.

An Ordinance creating the Office of City Water Master and defining the Duties thereof.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that there shall be and hereby is created the office of water master, whose duty it shall be to see to the erection and repairs of such gates, locks, or sluices as may be necessary to admit into the city the waters of City creek, Red Butte and Emigration canyons, and divide the same through the city as shall best serve the public interest, for irrigation, domestic and other purposes.

Sec. 2. It shall be the duty of the city water master to appoint one or more assistant water masters in each of the bishop's wards of the city, who shall act under his direction, and the assistant water masters shall distribute the water to the inhabitants of their respective wards, as they may deem necessary and just.

Sec. 3. Any person or persons who shall remove, break, or otherwise injure or destroy any dam, gate or sluiceway, shall be liable to pay a fine of not less than one nor more than one hundred dollars.

Sec. 4. Any person or persons who shall take or alter the course of the water intended for irrigation or other purposes, without the consent of the water master, or the person then holding the right of said water, shall be liable to a fine of not less than one, nor more than five dollars for every such offence.

Sec. 5. It shall be the duty of the inhabitants of each bishop's ward to make and keep in repair such dams, gates, or sluiceways as may be necessary to admit an equal and fair distribution of water to their several wards, to be under the control of the water masters in each ward.

Sec. 6. It shall be the duty of the city water master to adjudicate all difficulties arising from the distribution of water in the several wards.

Sec. 7. It shall also be the duty of the city water master to make a report of his proceedings, quarterly, to the city council, and lay before them such designs for improvements as may be necessary for their action.

PASSED July 9, 1853.

An Ordinance defining the Duties of Water Master on Ditch No. 1, leading from Big Canyon creek.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that it shall be the duty of the water master on ditch No. 1, leading from Big Canyon creek, to examine and determine the amount of repairs necessary to be done on said ditch, on or before the first day of April in each year, and assess to each person his share of said tax according to the amount of land owned or occupied by him, and to give notice of the time and place where such repairs must be done, by publishing the same at some general meeting in this city, or in some newspaper having general circulation.

Sec. 2. If any person shall fail to pay his share of said tax in labor within fifteen days from the time called for by the water master, said water master is hereby authorized to make said repairs and collect the amount of tax by law, as other taxes are collected.

Sec. 3. The water master is hereby required to see that an equal distribution of water is allotted to all applicants having claim, for which he shall be entitled to a remuneration of one dollar for every five acre lot watered from said ditch, or a proportionate amount for any parts of lots receiving water therefrom; and in case of any person failing to pay said amount on or before the first of November in each year, the water master is hereby authorized to collect the same as other taxes.

Sec. 4. Said water master is hereby required to give bonds and security in the sum of one thousand dollars for the faithful performance of his duty, said bonds to be filed with the city recorder.

PASSED May 4, 1855.

An Ordinance in relation to Water Ditches and Side Walks.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that all owners or occupiers of lots in said city are hereby required to dig suitable ditches to convey the waters across the side walks to or from their respective lots.

Sec. 2. Any person or persons having ditches running across the side walk to or from their respective lots more than fifteen inches wide at the top, are hereby required to bridge the same, and any person or persons who make ditches across the sidewalks must keep them in such order as to prevent the waters thereof from overflowing.

Sec. 3. Any person or persons having ditches running in front of their lots, between the street and side walks, or having ditches

in their lots on the line of fence, are hereby required to embank said ditches to keep them from overflowing, and damaging said streets or side walks.

Sec. 4. Any person or persons erecting any dam or sluice way in the ditches in front of their lots are hereby required to do so under the direction of the city water master or any assistant water master having jurisdiction, and must keep the same in proper order, as provided for in the third section.

Sec. 5. The water master is hereby required to see that owners or occupiers of lots making water ditches comply with the requirements of this ordinance, and notify them of any neglect or any breach of the same, and it is hereby made his duty after such sufficient notification and a noncompliance, to report the same to the mayor or any alderman of this city, who shall cause the offender to be brought before him, who upon conviction shall be liable to a fine in any sum not exceeding twenty five dollars for each offence, and to pay all damages that may accrue therefrom.

Sec. 6. Any person or persons building a bridge over a ditch, running across any sidewalk, or between any side walk and street, and such bridge, for the want of the proper repairs, damages any side walk or street, or prevents the free travel of any foot passenger, horse or team of any kind, or causes any damage to any other property, such person or persons, after a notification to repair said bridge, upon a sufficient time being given, fails to make such repairs, shall be liable to double the amount of fine set forth in the preceding section, and the payment of all damages accruing from such neglect.

Sec. 7. Any person or persons holding any grant from the city council of any water privileges for mills, irrigation, or other purposes, who shall suffer any damage to any street, side walk, ditch, or bridge, as hereinbefore specified in the preceding sections of this ordinance, or any lots to be flooded with water, or any damage to any building, or any other property, and upon evidence being adduced that such damage was through a failure on the part of the person or persons holding said grant of water privileges, such person or persons shall be liable to the penalties specified in the preceding section, and the forfeiture of the grant he may hold from said council.

PASSED July 1, 1859.

*Resolution regulating the Side Walks, Shade Trees and Water Ditches in Plot D,
Great Salt Lake City.*

Be it resolved by the City Council of Great Salt Lake City, that the

side walks in plot D, Great Salt Lake City be made ten feet wide, and that the inside edge of the water ditches be the outside line of the side walk, and all shade trees shall be set eight and a half feet from the line of the lots.

Be it further resolved that any person violating any portion of this resolution shall be liable to pay a fine of not less than one, nor more than one hundred dollars for each offence, and all damages that may accrue from such violation.

PASSED July 7, 1859.

An Ordinance in relation to Target Shooting and Discharge of Fire-arms.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that any person or persons discharging fire arms within the limits of this city, without a lawful breastwork or battery, for the protection of the citizens, shall be liable to a fine of not less than one, nor more than twenty five dollars for every such offence.

Sec. 2. A breastwork or battery, for target shooting, to be deemed lawful, shall be a wall two feet thick, six feet wide and six feet high in the back, with side wings eighteen inches thick, each extending two feet, increasing flaringly to the front, and six feet high, of soft adobies, or mud well packed, or its equivalent.

Sec. 3. The bishops in the city are hereby authorized to erect said breastwork in their several wards if deemed necessary, or any persons may have the privilege of building a battery upon their own lot. and shooting therein; provided said battery is built in accordance to the second section of this ordinance.

Sec. 4. Nothing in this ordinance shall be so construed as to prohibit persons shooting wild game and beeves when necessary.

Passed Oct. 1, 1853.

An Ordinance relating to Enticing Minors and others from their Homes.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that any person or persons, who shall be found using any influence directly or indirectly to induce, persuade, or entice any female from her husband, parents, or guardian, or to alienate her feelings therefrom; or, who shall be found using any influence to entice or persuade any minor, male or female from his or her parents, guardian or person having charge, without the consent of such parents, guardian, or person having charge, shall be liable to pay all dam-

ages, and a fine of not more than one hundred dollars, or imprisonment not more than six months, or both, at the discretion of the court having jurisdiction.

PASSED March 16, 1855.

An Ordinance relating to the Food of Swine.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all persons owning swine are hereby forbidden to feed the same upon putrid or decayed meat, blood, entrails, or other unwholesome food, calculated to engender disease in the flesh of such animals.

Sec. 2. Any person or persons failing to comply with this ordinance shall be liable to pay a fine of not less than five nor more than fifty dollars, at the discretion of the court having jurisdiction.

PASSED Sept. 21, 1855.

An Ordinance in relation to Swine and Fowls.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all swine found running at large within the limits of this city, shall be liable to be taken up and reported to the marshal of said city, who shall advertise the same by posting up a written notice in three public places in said city; and if not redeemed by the owner within ten days therefrom, shall be disposed of by said marshal, and the proceeds thereof, after defraying the expenses, shall be paid into the city treasury.

Sec. 2. *Be it further ordained* that all fowl, such as turkeys, ducks, geese and hens, allowed to run at large, at any time during the season, from the first day of March to the first day of November in each year, shall be forfeited to, and liable to be killed by any person upon whose premises they may be found trespassing.

PASSED March 7, 1856.

An Ordinance relating to Cleaning Chimneys.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all persons owning or occupying houses within said city are hereby required to clean, or cause to be cleaned, at intervals not exceeding six months, the chimneys belonging to such houses in which a fire is used.

Sec. 2. Any person failing or neglecting to comply with the foregoing shall be liable to pay a fine of not more than twenty dollars, and all damages that may accrue from such neglect, at the discretion of the court having jurisdiction.

PASSED Oct. 5, 1855.

Resolution in relation to Joint Enclosures.

Be it resolved by the City Council of Great Salt Lake City, that any person owning lots or farming lands within the limits of said city, wishing to fence the same with a good substantial wall or lawful fence can do so; and any person or persons owning lands adjoining thereto or running on the line of said fence who shall neglect or refuse to make their portion thereof, it may be made by the person joined, and the expense of making such fence shall be paid by the aforesaid person or persons for such neglect.

PASSED Nov. 30, 1855.

Resolution authorizing J. C. Little to sign Deeds of Lots in Great Salt Lake City Burying Ground.

Be it resolved by the City Council of Great Salt Lake City, that J. C. Little is hereby authorized and empowered to give deeds of any lot or lots or parts of lots in Great Salt Lake City burying ground and sign the same; and shall, upon payment for such lot or lots or parts of lots, and recording the same, deliver the deed to the owner.

PASSED Sept. 5, 1856.

An Ordinance organizing and regulating the Fire Department in Great Salt Lake City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City, that there be and hereby is authorized the formation of an engine company, to be known by the name of "Deseret Engine Company, No. 1," which shall be composed of twenty nine able bodied men, viz.,—a foreman, assistant foreman, secretary, treasurer, steward and twenty four members; whose duty it shall be to keep their engine and implements in good order and ready for use; and on the*

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alarm of fire, each member is required to leave all other business and repair to the engine house, with all possible speed, and remove their engine to the place of fire, and operate under the direction of a chief engineer as hereinafter provided.

Sec. 2. That there be organized a hook and ladder company, to be known by the name of "Deseret Hook and Ladder Company, No. 1," which shall be composed of twenty nine able bodied men, viz., a foreman, assistant foreman, secretary, treasurer, steward and twenty four members, whose duty it shall be to keep their implements in good order and ready for use, and on the alarm of fire, shall be required, as in the first section, to remove their implements to the place of fire, and operate under the direction of the aforesaid engineer.

Sec. 3. That there be and hereby is created the office of chief engineer, which office shall be filled by appointment of the mayor and council. Said engineer may appoint one or more assistants who shall take command in his absence.

Sec. 4. The chief engineer is hereby authorized to enlist fifty eight men to compose said companies, who shall proceed to elect their officers by ballot from their own number under his direction, and adopt such other rules and regulations as may be deemed necessary. And it shall be the further duty of said engineer together with his assistants, to take charge and command of all fire companies, with their engines and implements in all places and under all circumstances, and provide or cause to be provided engines and other implements necessary to extinguish fires, and see that they are kept in good order.

Sec. 5. All officers of said companies, before entering upon the duties of their respective offices, shall be sworn before the city recorder faithfully to perform the duties thereof; and the treasurers shall file bonds, with approved security, to the amount of five thousand dollars each. All vacancies that may occur from death, resignation or otherwise, shall be filled by a majority vote of the members at any regular meeting.

Sec. 6. The said engineer is hereby empowered to organize other companies when it shall be deemed necessary, under such regulations as are herein set forth; and he shall be required to make a quarterly report to the city council, and all acts and doings of said engineer shall be subject to their approval.

PASSED Oct. 17, 1856.

Resolution in relation to the Organization of Fire Companies in the Several Bishop's Wards of Great Lake City.

Resolved, by the City Council of Great Salt Lake City, that the

bishops of the several wards of said city, be, and are hereby authorized to organize fire companies forthwith in their respective wards, to consist of ten or more men; it shall be the duty of each company to elect their own officers; to furnish buckets, ladders, ropes, and other articles necessary to extinguish fires, and to report to the city council a list of their officers and men.

PASSED Oct. 28, 1853.

An Ordinance in relation to Removing and Burying the Dead.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that no person shall be allowed to inter their dead within the limits of this city, except in the public burying ground, unless by permission of the city council.

Sec. 2. All deceased persons, within the limits of this city, not interred in the public burying ground, are hereby required to be removed by the relations or friends of the deceased to said ground, on or before the first day of May next, unless on petition to the city council such bodies may be allowed to remain.

Sec. 3. Any person or persons failing to comply with the requirements of this ordinance shall be liable to pay a fine in any sum not less than twenty, nor more than fifty dollars, at the discretion of the court having jurisdiction.

PASSED Feb. 22, 1856.

An Ordinance relating to Physicians.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that any person who shall practice physic, medicine or surgery, within the limits of said city, shall be required to obtain a yearly license from the city council for that purpose.

Sec. 2. That a committee of three shall be appointed by the city council, whose duty it shall be to examine into the qualifications of those who may practice medicine or surgery, and from whom a certificate must be obtained to entitle them to a license from said council. Said license shall not be less than ten, nor more than one hundred dollars per annum, and shall be paid quarterly in advance.

Sec. 3. Any person failing to comply with the requirements of this ordinance, shall be liable to pay a fine in any sum not less than five, nor more than one hundred dollars for each offence.

PASSED March 7, 1856.

An Ordinance in relation to Drugs and Medicines.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all physicians, nurses, druggists, apothecaries or other persons, are hereby required to label in a plain and legible manner all drugs and medicines which they may put up or cause to be put up, before such drugs or medicines leave their possession.

Sec. 2. Any person neglecting or refusing to comply with the foregoing section of this ordinance shall be liable to a fine in any sum not less than five, nor more than one hundred dollars, or imprisonment not exceeding six months, or both at the discretion of the court having jurisdiction, and to pay all damages that may accrue from such violation.

PASSED Nov. 28, 1856.

An Ordinance in relation to Trespass.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that any person who shall take down a fence and expose any enclosure, or ride, drive or walk across the premises of another, without permission of the owner or occupant thereof, shall be liable to pay all damages, and a fine in any sum not less than one, nor more than one hundred dollars for each offence.

PASSED March 7, 1856.

An Ordinance in relation to Setting Posts for Securing Animals.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all persons owning or occupying buildings within the limits of said city are hereby required to set one or more posts in the street, twenty five feet from the front line of their lots. Where the water ditches interfere, a variation may be made sufficient to clear such ditch; said posts may be set in a good substantial manner, suitable for tying horses or other animals.

Sec. 2. Any person refusing or neglecting to comply with the foregoing section of this ordinance, the corporation shall have the right to set said post at the expence of the owners or occupants of said building.

PASSED March 6, 1857.

An Ordinance regulating Public Exhibitions and Amusements.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that any person or persons wishing to exhibit by theatricals, shows, amusements, circuses or by other feats in a public manner within the limits of said city, must first obtain a license from the city council for that purpose, and shall pay into the city treasury a sum not less than ten nor more than one hundred dollars.

Sec. 2. Any person or persons violating this ordinance shall be liable to a fine, not exceeding one hundred dollars for every such offence, at the discretion of the court having jurisdiction.

PASSED April 3, 1857.

An Ordinance creating the Office of Inspector of Provisions.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that there be and hereby is created the office of inspector of all varieties of meat and other provisions, whose duty it shall be to inspect and certify to the quality of the same, when required, or he may deem it necessary, wherever said meat or provisions shall be offered for sale within the limits of this city, and report quarterly to this council, or oftener if required.

PASSED March 19, 1858.

An Ordinance in relation to Selling Liquor to Indians.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that if any person, within the limits of this city, shall be found selling spirituous or malt liquors to an Indian, he shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment for thirty days, or both, at the discretion of the court.

PASSED March 19, 1858.

An Ordinance in relation to Burning Weeds, Rubbish and other Combustible Materials.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that any person burning weeds, rubbish, or combustibles of any kind within the limits of this city, except in the day time be-

tween the hours of sunrise and sunset, and the said burning be superintended by some responsible person, and at a distance not less than sixty feet from any building, fence, stack or other material liable to take fire, he shall be liable to a fine in any sum not exceeding one hundred dollars and subject to pay all damages.

PASSED March 19, 1858.

An Ordinance in relation to Lost Property.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that any person finding lost property within the limits of this city, of any kind or value, is hereby required to deliver or report the same to the marshal of Great Salt Lake City or some one of his deputies forthwith, or said person shall be liable to the penalties prescribed in the ordinance entitled "An Ordinance in relation to Offences, part 4, sec. 3, passed March 20, 1858."

Sec. 2. *Be it further ordained,* that it shall be the duty of the marshal of said city and his deputies on application for lost property, on proof, to deliver the same to the owner; and it shall be the further duty of the marshal and deputies to deposit all lost property in their possession, not claimed by the owner thereof within six months, in the hands of the directors of the "Perpetual Emigrating Fund Company," to be at its disposal.

PASSED March 20, 1858.

An Ordinance regulating the Manufacture and Sale of Spirituous and Fermented Liquors.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that any person or persons manufacturing, selling or vending spirituous or fermented liquors within the limits of said city, shall be required to obtain a quarter-yearly license, subject to renewal monthly, for which he shall pay into the city treasury, in advance, a sum of not less than ten dollars nor more than one hundred and fifty dollars per month.

Sec. 2. Any person or persons so licensed who shall be found selling or otherwise disposing of spirituous or fermented liquors upon the Sabbath day, shall be liable to forfeit his license and pay a fine into the city treasury not to exceed one hundred dollars.

Sec. 3. All persons so licensed shall institute such regulations in their houses as shall restrain drunkenness, riotous or disorderly conduct, and shall keep a cleanly, well regulated and respectable

establishment, which shall not be open for the sale of liquors between the hours of ten o'clock at night and four o'clock in the morning; and any person so licensed, who shall permit drunkenness, riotous or disorderly conduct on his premises, shall be liable to pay a fine of not less than five nor more than one hundred dollars for each offence.

Sec. 4. Licenses granted to merchants for the sale of spirituous liquors shall not authorize the sale thereof in less quantity than one gallon, except such as are imported in bottles; and in no case to be drank upon the premises. Apothecaries having license to sell spirituous liquors may sell in any quantity for medicinal purposes.

Sec. 5. Any person neglecting or refusing to comply with the requirements of this ordinance, for the violation of which the penalty is not otherwise provided, shall be liable to pay a fine in any sum not less than ten, nor exceeding one hundred dollars.

Sec. 6. All ordinances, parts of ordinances or resolutions conflicting with the foregoing are hereby repealed.

PASSED Sept. 10, 1858.

An Ordinance in relation to the Inspection and Sale of Liquors in Great Salt Lake City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City*, that all persons importing or vending spirituous liquors within the limits of this city are hereby required to have them inspected by the city inspector of liquors, previous to said liquors being offered for sale.

Sec. 2. It shall be the duty of said inspector of liquors to inspect all liquors that may be offered for sale, according to the proof standard of Syke's hydrometer, and mark upon the barrel or vessel, containing said liquors, the name and strength of such liquors, and the date of the inspection with his signature. Any person or persons who shall offer for sale liquors under fifteen below proof, shall be liable to forfeit the same to the city, unless sold as below the marked standard proof set forth in this section, and at such reduced price as the reduced strength shall warrant.

Sec. 3. The city inspector of liquors shall be required to gauge all casks containing liquors when called upon so to do.

Sec. 4. That the inspector shall be entitled to the following fees, viz.:

For a single inspection of any cask or vessel of liquor	-	\$1.00
For over one cask and not exceeding ten	-	each .50
For all over ten casks in the same lot	-	" .25

For gauging a single cask	-	-	-	-	-	\$1.00
For gauging a lot of five casks or less over one	-	-	-	-	each	.50
For all over five casks in the same lot	-	-	-	-	"	.25

Sec. 5. All liquors offered for sale within this city shall be liable to inspection at any time: Provided, the owner thereof shall not be liable to pay for but one inspection of the same lot of liquors. Any person who shall alter, or change, or deface the inspector's marks made on any barrel, cask or other vessel containing liquors so inspected and offered for sale, shall be liable for each offence to a fine in any sum not less than ten nor more than one hundred dollars, or imprisonment not to exceed six months, or both, at the discretion of the court having jurisdiction.

Sec. 6. It shall be the duty of the city inspector of liquors to report annually, the quantity, kinds and strength of liquors inspected by him, and the persons offering said liquors for sale during the year.

Sec. 7. It shall further be the duty of the inspector to report forthwith to the mayor or any alderman all liquors which he may find adulterated or changed from the proof marked on said cask or vessel.

Sec. 8. The said inspector shall before entering upon the duties of his office take an oath and give bonds in the penal sum of \$500, conditioned for the faithful performance of the duties of his office, which said bonds shall be approved by and filed with the city recorder.

Sec. 9. Any person neglecting or refusing to comply with any portion of this ordinance shall be liable to a fine of not less than five, nor more than one hundred dollars for each offence.

PASSED Jan. 28, 1859.

An Ordinance relating to Licenses.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that it shall not be lawful for any person or persons to establish or keep within the limits of said city any store, shop, market or stand for the purpose of buying, selling or exchanging merchandize, goods, drugs or provisions; nor to engage in the business of brokerage, pawn or otherwise; of peddling or hawking goods of any description, fruit or provisions; nor to keep any tavern, grocery, dram or tippling shop, boarding or eating house, ordinary, coffee house, restaurant, or any other place of public entertainment; nor conduct or manage any theatre, or other exhibition, show or amusement, without first obtaining from the city council a license therefor.

Sec. 2. No license granted by said council shall be for a longer term than one year; nor shall any such license be assignable, transferable, or authorize any person or persons to do business or act under it but the person or persons named therein; nor at more than one place. The city council may upon granting such license determine the time for which it shall be given and the amount to be paid thereon.

Sec. 3. The city recorder shall make out and sign all licenses granted by the city council, and the person or persons to whom such licenses may be granted shall, upon receiving the same, pay the amount required therefor into the hands of said recorder.

Sec. 4. Any person who shall violate, neglect or refuse to conform to, and observe any or either of the provisions of this ordinance shall be liable and subject to pay a fine of not less than two, nor more than one hundred dollars for each offence.

Sec. 5. Nothing in this ordinance shall be so construed as to interfere with licenses already granted, or prohibit farmers from selling their own produce within said city.

Sec. 6. All ordinances, parts of ordinances or resolutions conflicting with the foregoing are hereby repealed.

PASSED Nov. 26, 1858.

An Ordinance regulating Fees.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that the following and no other shall be the fees allowed to the officers of said city herein mentioned.

Each member of the municipal court when sitting shall be allowed for a day or fraction of a day	- - -	\$3.00
Clerk of said court each day or fraction of a day	- - -	3.00
and shall also be entitled to the same fees for making out papers for like service as hereinafter provided for in the mayor's or alderman's courts.		
Marshal's attendance in said court each day or fraction of a day	- - - - -	3.00
Each juror for each day or fraction of a day	- - -	2.00

Sec. 2. Before the mayor or any alderman at the commencement of suit	- - - - -	\$1.00
For issuing process of any kind except subpoenas	- - -	1.50
“ subpoenas for each person named therein	- - -	.25
For entering judgment	- - - - -	.50
taking recognizance or any undertaking	- - -	1.00

For discharge of prisoner	- - - - -	\$0.50
calling a jury	- - - - -	1.00
judgment of nonsuit or by default	- - - - -	.50
every continuance or adjournment	- - - - -	1.00
making and certifying transcript, each 100 words	-	.15
each day or fraction of a day in the trial of any case, after a day of six hours	- - - - -	2.50
witness fees for each day or fraction of a day	-	1.50
Sec. 3. For serving any process except subpoena	-	\$2.00
For serving subpoenas	- - - - - each	.50
advertising property for sale or execution	- -	1.50
selling property not exceeding \$50, 10 per cent.		
over \$50, 5 per cent.		

Sec. 4. All officers, witnesses and jurors in attending court or serving process shall be entitled to mileage each way at the rate of 10 cents per mile.

PASSED Oct. 29, 1858.

An Ordinance in relation to Writs of Habeas Corpus.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that the petition for the writ of habeas corpus must be in writing, sworn to, and signed by the prisoner or some person on his, her or their behalf, setting forth the facts concerning the imprisonment, and in whose custody detained, accompanied by a copy of the warrant of commitment, or an affidavit that the said copy cannot reasonably be obtained.

Sec. 2. Upon the presentation of said petition to the municipal court, the writ of habeas corpus shall be awarded, unless it shall appear from the petition, or other evidence, that the party so applying would not be entitled to relief.

Sec. 3. When the writ shall be awarded, it shall appear under the seal of the court, and all persons upon whom such writ shall be served, holding said prisoner, shall make return of such writ, and shall bring or cause to be brought the body of such person before the court issuing said writ, according to the requirements of the same.

Sec. 4. If the defendant cannot be found, or, if he have not the plaintiff in custody, the service shall be made upon any person having the plaintiff in custody, in the manner, and with the same effect as though he had been made defendant therein.

Sec. 5. If the defendant conceal himself, or refuse admittance to the person attempting to serve the writ, or, if he attempt wrong-

fully to carry the person out of the city, after the service of the writ aforesaid, the officer or person attempting to serve, or who has served the writ as above contemplated, is authorized to arrest the defendant, or other person so resisting, and bring him or them, together with the plaintiff, forthwith before the court.

Sec. 6. The writ of habeas corpus must not be disobeyed for any defect; provided enough is stated to show the meaning and intent of the writ.

Sec. 7. A wilful failure to comply with the requirements of the writ, renders the offending party liable to a fine or imprisonment, or both, at the discretion of the court.

Sec. 8. Upon return of the writ, the court shall, after having given due notice, proceed to hear and determine the case, and if no sufficient, just, legal cause of detention is shown, the plaintiff must be discharged; otherwise the plaintiff may be remanded back; or, a new commitment may be made, as shall be determined by the court.

PASSED July 1, 1858.



An Ordinance relating to Nuisances.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that the owner or any person having in charge stock dying within the limits of the city wall, is hereby required to remove the same at least half a mile beyond the limits of said wall, and not nearer than the same distance of any dwelling house, within twenty four hours after the decease of said stock: Provided, small animals may be buried within the limits of said wall at a proper depth and distance from any water course.

Sec. 2. Any privy or pig-stye erected nearer than forty feet of the line of the streets of this city, is hereby declared to be a nuisance, and liable to be removed at the expense of the owner thereof; and no out house, hay or grain stack, cow yard, or offal yard, shall be erected within the same distance of any dwelling house, unless by consent of the owner or occupant thereof, without being liable to be complained of, and the same removed at the expense of the owner, upon the order of the court having jurisdiction.

Sec. 3. "An ordinance relating to Nuisances," passed Oct. 21, 1854, is hereby repealed.

PASSED July 26, 1859.

An Ordinance in relation to the Use of the City Seal.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all grants and licenses emanating from said council shall receive the seal of the corporation, for which the city recorder shall be entitled to a fee of one dollar each.

PASSED July 7, 1859.

An Ordinance declaring Public and Naming the Streets of Great Salt Lake City.

Sec. 1. *Be it ordained by the City Council of Great Salt Lake City,* that all the streets as plotted in the several surveys of Great Salt Lake City be and the same are hereby declared public.

Sec. 2. And shall be known by names as follows:—The street running on the south side of what is known as the Temple Block in said city, shall be known by the name of South Temple street, and the next one south as First South street, and so on in regular order of number to the southern limits of said city. That the street running on the west side of said Temple Block be known by the name of West Temple street, and the next one as First West street, and so on in regular order of number to the western limits of said city. That the street running on the north side of said Temple Block be known by the name of North Temple street, and the next one north as First North street, and so on in regular order of number to the northern limits of said city. That the street running on the east side of said Temple Block be known by the name of East Temple street, and the next one as First East street, and so on in regular order of number to the eastern limits of said city.

Sec. 3. Nothing in this ordinance shall be so construed as to prohibit those who have received grants from this council to fence up certain streets, from continuing said streets fenced and from holding the right of said streets as heretofore granted.

PASSED July 7, 1859.

Resolution authorizing the Revising, Compiling and Publishing of the Ordinances and Resolutions of Great Salt Lake City.

Be it resolved by the City Council of Great Salt Lake City, that the committee on municipal laws for said city be and hereby are authorized to revise, compile and publish the ordinances and resolutions of said city which now are or may be in force at the time of their publication.

PASSED July 1, 1859.

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